

EXHIBIT 17

Page 1

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION)	
CORPORATION,)	
)	
Plaintiff-Applicant,)	
)	Adv. Pro. No.
-vs-)	
)	08-01789(SMB)
BERNARD L. MADOFF INVESTMENT)	
SECURITIES LLC,)	SIPA
)	Liquidation
Defendant.)	
)	(Substantively
)	Consolidated)
In re:)	
)	
BERNARD L. MADOFF,)	
)	
Debtor.)	
)	
)	
IRVING H. PICARD, Trustee for)	10-04570(SMB)
the Substantively Consolidated)	
SIPA Liquidation of Bernard L.)	
Madoff Investment Securities)	
LLC and Bernard L. Madoff,)	
)	
Plaintiff,)	
)	
v.)	
)	
JACOB M. DICK REV LIVING TRUST)	
DTD 4/6/01, individually and)	
as tenant in common,)	
)	
)	

(Continued to the following page)

WITNESS: ANDREA JOY FIRESTONE

DATE: THURSDAY, SEPTEMBER 14, 2017:

1 (CONTINUED CAPTION)
2 ESTATE OF JACOB M. DICK, as)
grantor of the Jacob M. Dick Rev)
3 Living Trust Dtd 4/6/01,)
4)
ANDREA J. MARKS, as trustee and)
beneficiary of the Jacob M. Dick)
5 Rev Living Trust Dtd 4/6/01, as)
executor and beneficiary of the)
6 Estate of Jacob M. Dick, and as)
trustee of the Article 8.1 Trust)
7 created under the Jacob M. Dick)
Rev Living Trust Dtd 4/6/01,)
8)
REID DORAL ASHLEY, as)
9 beneficiary of the Article 8.1)
Trust created under the Jacob M.)
10 Dick Rev Living Trust Dtd)
4/6/01,)
11)
RIO JOCELYN BREEN, as)
12 beneficiary of the Article 8.1)
Trust created under the Jacob M.)
13 Dick Rev Living Trust Dtd)
4/6/01,)
14)
ARTICLE 8.1 TRUST,)
15)
SUZANNE BREEN, as beneficiary of)
16 the Estate of Jacob M. Dick and)
the Jacob M. Dick Rev Living)
17 Trust Dtd 4/6/01, and)
18)
DOUGLAS J. STURLINGH, as)
beneficiary of the Estate of)
19 Jacob M. Dick and the Jacob M.)
Dick Rev Living Trust Dtd)
20 4/6/01,)
21)
Defendants.)
22)
23 VIDEOTAPED EXAMINATION of ANDREA JOY FIRESTONE
24 REPORTED BY:
JESSIE WAACK, RDR, CRR, CCRR, CCR, NYACR, NYRCR
25 JOB NO.: 30553

1

2

3

4

5

6

VIDEOTAPED EXAMINATION of ANDREA

7 JOY FIRESTONE, taken before

8 JESSICA R. WAACK, Registered Merit Reporter,

9 Certified Realtime Reporter, Registered

10 Diplomate Reporter, California Certified

11 Realtime Reporter, Certified Court Reporter

12 in New Jersey, New York Association

13 Certified Reporter, New York Realtime Court

14 Reporter and Notary Public of the State of

15 New York, at Regus, 1979 Marcus Avenue,

16 Suite 210, Lake Success, New York, on

17 Thursday, September 14, 2017, commencing at

18 10:11 a.m. and concluding at 12:21 p.m.

19

20

21

22

23

24

25

Page 4

1 A P P E A R A N C E S

2 ON BEHALF OF THE WITNESS:

3 CHAITMAN LLP

4 BY: JENNIFER ALLIM, ESQ.

5 465 Park Avenue

6 New York, New York 10022

7 PHONE: 888-759-1144

8 EMAIL: Jallim@chaitmanllp.com

9

10 ON BEHALF OF THE PLAINTIFF:

11 BAKER HOSTETLER

12 BY: DOMINIC GENTILE, ESQ.

13 45 Rockefeller Center

14 New York, New York 10111

15 PHONE: 212-589-4200

16 EMAIL: Dgentile@bakerlaw.com

17

18 A L S O P R E S E N T

19 JOHN FAZIO, videographer

20

21 --o0o--

22

23

24

25

Page 5

1 INDEX TO EXAMINATION

2 WITNESS: ANDREA JOY FIRESTONE

3	EXAMINATION	PAGE
4	BY MR. GENTILE	10
5	BY MS. ALLIM	92
6	BY MR. GENTILE	101
7	BY MS. ALLIM	102
8	BY MR. GENTILE	103

9

10 -o0o-

11 INFORMATION REQUESTED

12 None

13

14

15 WITNESS INSTRUCTED NOT TO ANSWER

16 None

17

18

19

20

21

22

23

24

25

1 INDEX TO EXHIBITS

2 WITNESS: ANDREA JOY FIRESTONE

3 Thursday, September 14, 2017

4	MARKED	DESCRIPTION	PAGE
5	Exhibit 1	Litigation protective order	12
6	Exhibit 2	Jacob M. Dick Revocable	
7		Living Trust	29
8	Exhibit 3	Last Will and Testament of	
9		Jacob M. Dick	32
10	Exhibit 4	Letter from Ms. Cohen dated	
11		April 17, 2007; Bates	
12		AMF00277628	33
13	Exhibit 5	General power of attorney;	
14		Bates AMF00277630	35
15	Exhibit 6	Letter from Mr. Kert dated	
16		May 27, 2004; Bates	
17		AMF00277636	39
18	Exhibit 7	BLMIS account No. 1CM325;	
19		Bates MADC0099_0000002	45
20	Exhibit 8	Handwritten note dated	
21		September 4, 2004, from	
22		Mr. Dick; Bates AMF00277635	47
23	Exhibit 9	Copy of check No. 6390331970;	
24		Bates JPMSAI0006305	49

25

1 INDEX TO EXHIBITS

2 WITNESS: ANDREA JOY FIRESTONE

3 Thursday, September 14, 2017

4	MARKED	DESCRIPTION	PAGE
5	Exhibit 10	Copy of check 185025; Bates	
6		MADWAA00267820	53
7	Exhibit 11	Copy of check 195830; Bates	
8		MADWAA00297797	55
9	Exhibit 12	Letter dated August 19, 2008,	
10		from Ms. Cohen; Bates	
11		AMF00277625	57
12	Exhibit 13	Copy of check No. 199207;	
13		Bates MADWAA00300724	59
14	Exhibit 14	Letter dated September 3,	
15		2008, from Mr. Kaplan; Bates	
16		AMF00277621	64
17	Exhibit 15	Copy of check No. 199571;	
18		Bates MADWAA00302409	68
19	Exhibit 16	Copy of check No. 201098;	
20		Bates MADWAA00299814	69
21	Exhibit 17	Letter from A.J. Cohen dated	
22		July 22, 2008; Bates	
23		AMF00277627	78

24

25

Page 8

1 INDEX TO EXHIBITS

2 WITNESS: ANDREA JOY FIRESTONE

3 Thursday, September 14, 2017

4 MARKED DESCRIPTION PAGE

5 Exhibit 18Answer to the trustee's

6 complaint 82

7 Exhibit 19Responses and objections to

8 the trustee's first set of

9 interrogatories 88

10

11 ** All exhibits were attached to the

12 original transcript **

13

14

15

16

17

18

19

20

21

22

23

24

25

Page 9

1 ANDREA JOY FIRESTONE

2 September 14, 2017 10:11 a.m.

3 THE VIDEOGRAPHER: Good morning.

4 We are now on the record. Today is
5 September 14, 2017, and the time on
6 the video clock is 10:09 in the a.m.

7 My name is John Fazio, the video
8 technician in association with Bendish
9 Reporting.

10 This deposition is being held in
11 the office of Regus located at 1979
12 Marcus Avenue, Suite 210, Lake
13 Success, New York.

14 The caption of the case is
15 Jacob M. Dick, Rev living trust, DTD,
16 4/6/01, et al., filed in the United
17 States Bankruptcy Court, Southern
18 District of New York. Adversary
19 proceeding number is 10-04570 (SMB).

20 Name of the witness is Andrea
21 Firestone. At this time, the
22 attorneys present will identify
23 themselves and the parties they
24 represent.

25 MR. GENTILE: Dominic Gentile

Page 10

1 ANDREA JOY FIRESTONE
2 for Irving Picard, the plaintiff.

3 MS. ALLIM: Jennifer Allim,
4 Chaitman, LLP for the witness Andrea
5 Firestone.

6 THE VIDEOGRAPHER: And our court
7 reporter, Jessica Waack, will swear in
8 the witness, and we can proceed.

9 * * * * *

10 A N D R E A J O Y F I R E S T O N E
11 called as a witness herein,
12 having been first duly sworn on
13 oath, was examined and testified
14 as follows:

15 EXAMINATION

16 BY MR. GENTILE:

17 Q. Good morning, Mrs. Firestone.
18 My name is Dominic Gentile. I'm one of
19 the attorneys representing Irving Picard
20 in this litigation, and I'm going to be
21 taking your deposition today.

22 I'm going to ask you a series of
23 questions. If at any time you don't
24 understand one of my questions, please
25 just let me know, and I will rephrase as

1 ANDREA JOY FIRESTONE

2 best I can.

3 Although no judge is present,
4 this is a formal legal proceeding just
5 like testifying in court, and you're under
6 the same obligation to tell the truth.

7 Do you understand that?

8 A. Uh-huh.

9 Q. Okay. The court reporter will
10 be taking down my questions and your
11 answers, so your answers must be audible.

12 Please just say yes or no and
13 respond accordingly rather than nodding
14 your head or shrugging your shoulders.

15 Your counsel may object to some
16 of the questions that I ask, but unless
17 she specifically tells you not to answer,
18 you have to answer the question.

19 A. Okay.

20 Q. If you need a break at any time,
21 just let me know. The only thing that I
22 ask is if I have a question pending, that
23 you finish the response to the question
24 before we take a break, okay?

25 A. Okay.

Page 12

1 ANDREA JOY FIRESTONE

2 Q. Before we begin, are you taking
3 any medication that may impair your
4 ability to testify?

5 A. No.

6 Q. I believe your counsel's
7 indicated that you won't be signing the
8 litigation protective order --

9 MS. ALLIM: Correct.

10 BY MR. GENTILE:

11 Q. -- that governs the confidential
12 documents, materials in this action. So
13 bear with me for a minute, I have to read
14 a paragraph into the record.

15 MR. GENTILE: I'm going to
16 introduce as Exhibit 1 the litigation
17 protective order that governs this
18 adversary proceeding. If you could
19 mark it as 1.

20 (Whereupon, Exhibit 1 is marked
21 for identification.)

22 BY MR. GENTILE:

23 Q. Okay. I'm handing you the
24 litigation protective order that was
25 signed by Judge Lifland.

1 ANDREA JOY FIRESTONE

2 This order controls whether
3 exhibits, documents and testimony given
4 today will be treated as confidential,
5 meaning that we can't disclose it without
6 notifying the party that produced it to
7 us. So I'm going to point you
8 specifically to paragraph 10.

9 MR. GENTILE: It says,
10 "Confidential material shall not be
11 given, shown, made available or
12 communicated in any way to any person
13 or entity other than the following,"
14 and then I'm going to ask you to drop
15 down to subparagraph F.

16 It says, "A witness at any
17 deposition in the actions or Rule 2004
18 examinations," and the operative
19 section for you is subparagraph Roman
20 numeral IV which says, "All witnesses
21 and their counsel shall be provided
22 with a copy of this order and shall
23 thereafter be bound by this order.

24 "Counsel taking the deposition
25 of Rule 2004 examination shall

1 ANDREA JOY FIRESTONE

2 designate all portions of the
3 transcript relating to the
4 confidential material as
5 confidential."

6 BY MR. GENTILE:

7 Q. Okay. That's it.

8 Do you understand that you're
9 being deposed in connection with Picard v.
10 Jacob M. Dick Revocable Trust --

11 A. Yes.

12 Q. -- adversary proceeding
13 No. 10-04570?

14 A. Yes.

15 Q. Please state your full name for
16 the record.

17 A. Andrea Joy Firestone.

18 Q. What other names have you gone
19 by?

20 A. Andrea Joy Cohen, Andrea Joy
21 Marks, Andrea Joy Dick, Andrea Joy Ashley.

22 Q. Okay. Can you give me
23 approximate dates of when you used those
24 names?

25 A. Yeah, sure.

1 ANDREA JOY FIRESTONE

2 Q. Okay.

3 A. Okay. Andrea Joy Dick, I was
4 born until I was 21.

5 Q. What year was that?

6 A. 1974, I believe.

7 Q. Okay.

8 A. I became Ashley at that point.
9 That's Andrea Joy Ashley.

10 Q. Uh-huh.

11 A. And that was until 1988, I
12 believe.

13 Q. Okay.

14 A. And then I became Andrea Joy
15 Marks in 1993. And then I became Andrea
16 Joy Cohen, I believe, 2006. I became
17 Andrea Joy Firestone in 2012.

18 Q. Okay. Just so I get this
19 straight, you said you were -- you used
20 the last name of Ashley from 1974 --
21 approximately 1974 to 1988?

22 A. Uh-huh.

23 Q. And then you started using the
24 name Marks in 1993?

25 A. Correct.

1 ANDREA JOY FIRESTONE

2 Q. So in 1988 and 1993, what last
3 name did you use?

4 A. Ashley. I'm sorry. Ashley.

5 Q. So you used Ashley from 1974 to
6 1993?

7 A. Correct.

8 Q. Okay.

9 A. Gee, sorry, I don't remember.

10 Q. Would you have ever gone back to
11 your maiden name at any point?

12 A. It's -- I can't remember.

13 Q. Okay. So you started using the
14 name Cohen in 2006 to 2012?

15 A. Correct.

16 Q. And from 2012 on --

17 A. No, no. That's wrong.

18 Q. Okay.

19 A. From 2006 to 2009. In 2009, I
20 went back to Marks.

21 Q. Until?

22 A. Until 2012, when I became
23 Firestone.

24 Q. What's your current home
25 address?

1 ANDREA JOY FIRESTONE

2 A. [REDACTED]

3 [REDACTED]

4 Q. Did you ever reside at [REDACTED]

5 [REDACTED] in --

6 A. Yes, yes.

7 Q. Approximately between what
8 years?

9 A. 1993 until 2014.

10 Q. Did you ever reside at [REDACTED]

11 [REDACTED] --

12 A. No, I did not.

13 Q. Can you give me a brief summary
14 of your educational background?

15 A. Licensed massage therapist.

16 Q. Okay.

17 A. I went to massage school,
18 college two years.

19 Q. Do you have any other secondary
20 education, college, master's, anything
21 like that?

22 A. No.

23 Q. And what's your occupation
24 currently?

25 A. Currently I'm an administrative

1 ANDREA JOY FIRESTONE

2 assistant.

3 Q. Okay. And how long have you
4 been doing that?

5 A. Since -- I'm not sure exactly --
6 it could be 2011. I'm not quite sure.

7 Q. Okay. Can you just go back for
8 me and give me a summary of your
9 employment history? Briefly. It doesn't
10 have to be in-depth.

11 A. I started working when I was 16
12 years old, so it's very, very difficult to
13 go back that far.

14 Q. Well, let's start with the jobs
15 where you stayed at for longer than five
16 years, if any.

17 A. I worked in the garment center
18 at a company called Jerrell,
19 J-E-R-R-E-L-L. I worked as a dental
20 assistant for Dr. Andrew Goldberg. I
21 worked in a children's retail store called
22 Golden Goose. Do you need more?

23 Q. Is that most of your employment
24 history?

25 A. Yeah.

1 ANDREA JOY FIRESTONE

2 Q. Okay. You're currently employed
3 as an administrative assistant?

4 A. Yes.

5 Q. Did you take any steps to
6 prepare for this deposition?

7 A. Meaning what?

8 Q. Did you review any documents?
9 Did you speak with anybody?

10 A. I spoke with my attorney.

11 Q. Other than your attorneys, did
12 you speak with anybody?

13 A. Just in order to get documents.

14 Q. Who did you speak to?

15 A. I spoke to our old accountant
16 and --

17 Q. What's his name?

18 A. Ira Schall. S-C-H-A-L-L. And
19 my father's trust attorney, called him,
20 Kaplan & Kaplan.

21 Q. What's the name of your father's
22 trust attorney?

23 A. I don't remember his first name.
24 His last name was Kaplan.

25 Q. Okay. Fair enough. What

1 ANDREA JOY FIRESTONE

2 documents did you retrieve from the
3 accountant of Mr. Kaplan?

4 A. I got nothing from Kaplan.

5 Q. What did you get from
6 Mr. Schall?

7 A. My attorney has them.

8 Q. Well, what did you get, though?
9 What did you receive?

10 A. They were -- I'm not quite sure.
11 It was -- I'm just not quite sure exactly
12 what they were.

13 Q. Well, what were they generally?
14 Not exactly.

15 A. Returns, IRS returns.

16 Q. Okay. Just IRS returns?

17 A. Yeah. I believe so.

18 Q. Okay. When did you retrieve
19 those documents?

20 A. A month -- about a month ago.

21 Q. And where are the documents now?

22 A. With my attorney.

23 MR. GENTILE: Okay. I would
24 just like to put on the record that we
25 would like to have those documents

1 ANDREA JOY FIRESTONE

2 produced.

3 MS. ALLIM: I think we produced
4 them with the doc stipulation.

5 MR. GENTILE: We'll talk about
6 it off the record. Okay.

7 BY MR. GENTILE:

8 Q. What did you discuss with
9 Mr. Schall -- well, not with Mr. Kaplan,
10 but with Mr. Schall?

11 A. Just whatever information,
12 paperwork, whatever that he had. Possibly
13 on my father, for my father.

14 Q. Were you asking him for your
15 father's tax returns or for your tax
16 returns?

17 A. My father's.

18 Q. Okay. Have you ever had your
19 deposition taken before?

20 A. No.

21 Q. Okay. Have you ever given
22 testimony in court?

23 A. No.

24 Q. Okay. Have you ever been
25 interviewed in connection with the Madoff

1 ANDREA JOY FIRESTONE

2 matter?

3 A. No.

4 Q. Going forward, just to aid our
5 conversation here, I'm going to define a
6 few terms up front just so you know what
7 we're speaking about and it just makes it
8 easier.

9 When I refer to "BLMIS," I'm
10 speaking about Bernard L. Madoff
11 Investment Securities, LLC, the company.
12 When I refer to "Madoff," I'm talking
13 about Bernie Madoff the person, okay?

14 And if I use the term
15 "accounts," I'm speaking about the two
16 BLMIS accounts that your father maintained
17 at BLMIS, okay? Those accounts are
18 1-CM325 and 1-CM883, okay?

19 A. Okay.

20 Q. If I use the term "transfer,"
21 I'm simply going to refer to the money
22 that was simply deposited into those
23 accounts or taken out of those accounts,
24 withdrawn from the accounts, all right?

25 A. Okay.

1 ANDREA JOY FIRESTONE

2 Q. What are the names of your
3 mother and father?

4 A. My mother was Rhoda Dick,
5 R-H-O-D-A.

6 Q. And was your dad Jacob M. Dick?

7 A. Jacob M. Dick.

8 Q. Who is June Dick?

9 A. That was his -- after -- that
10 was his wife after my mother passed away.

11 Q. When did your mother pass away?

12 A. 1979.

13 Q. Do you know when your dad got
14 married to June Dick?

15 A. Not exactly.

16 Q. But it was after 1979?

17 A. Of course.

18 Q. Yeah. Do you know how your
19 father came to invest with BLMIS?

20 A. No, I don't.

21 Q. Okay. Do you know if he ever
22 met with Bernard Madoff?

23 A. I have no idea.

24 Q. Okay. Do you know if he was
25 referred to them by anybody?

1 ANDREA JOY FIRESTONE

2 A. I have no idea.

3 Q. Okay. What was your
4 participation in your father's accounts
5 with BLMIS?

6 A. My father had Parkinson's, and I
7 just helped him along as it progressed.
8 That's it.

9 Q. So when you say "helped," how
10 did you help exactly?

11 A. Just if he had, you know, a
12 question about a paper, I'd answer the
13 question about a paper if he couldn't see
14 a number or something.

15 Q. So --

16 A. Or if -- I guess if he needed
17 help writing something, I'd help him do
18 that.

19 Q. Okay. So did you communicate
20 with BLMIS on his behalf?

21 A. Yes.

22 Q. When did he get diagnosed with
23 Parkinson's?

24 A. I can't remember exactly.

25 Q. Approximately was it before or

1 ANDREA JOY FIRESTONE

2 after your mom passed away?

3 A. Oh, it was after.

4 Q. After. 10 years after?

5 A. Maybe.

6 Q. So it was while he was married
7 to June Dick?

8 A. Correct.

9 Q. Okay. At what point did you
10 start helping him?

11 A. In the mid-2000s, I guess.
12 Around there.

13 Q. So in the 2000s. So that was
14 while you were living in Woodmere --

15 A. Correct.

16 Q. Did either of your parents live
17 in the Woodmere location with you?

18 A. No -- um -- no, no.

19 Q. So did your help with your
20 father consist of contacting anybody at
21 BLMIS on his behalf?

22 A. Yes.

23 Q. Who did you speak to?

24 A. I couldn't remember.

25 Q. Approximately how many times did

1 ANDREA JOY FIRESTONE

2 you --

3 (Court reporter asks for one
4 speaker at a time.)

5 BY MR. GENTILE:

6 Q. -- contact somebody at BLMIS?

7 A. I couldn't remember.

8 Q. How did you make this contact?
9 Through telephone? email? mail --

10 A. Telephone.

11 Q. Telephone, okay. And what sort
12 of communications were they?

13 A. If my father had a question he
14 needed an answer.

15 Q. Uh-huh.

16 A. I really can't remember exactly
17 what they were --

18 Q. Was it --

19 A. -- about.

20 Q. Did you speak -- did you speak
21 to the same person each time?

22 A. I believe so. I believe I spoke
23 to a woman --

24 Q. Okay.

25 A. -- but I don't remember her

1 ANDREA JOY FIRESTONE

2 name.

3 Q. I'm going to throw some names at
4 you to see if they --

5 A. Okay.

6 Q. Jodi Crupi?

7 A. I don't know.

8 Q. Was it Belle Jones?

9 A. I don't -- no. That doesn't
10 sound familiar.

11 Q. Rosalie Buccellatto?

12 A. Doesn't sound familiar.

13 Q. Marsha Cohn?

14 A. I can't remember.

15 Q. So what did you do to help your
16 dad besides contact with BLMIS whenever he
17 needed a question answered?

18 A. That was it.

19 Q. Did you pay your dad's bills for
20 him?

21 A. Yeah, as far as taxes and things
22 like that, yes, his bills.

23 Q. Okay. How did you do that
24 specifically?

25 A. Requesting money out of the

1 ANDREA JOY FIRESTONE

2 account.

3 Q. Out of the account. And then
4 how would -- just walk me through it. How
5 would that work?

6 A. From what I remember, vaguely
7 remember, I would have a letter -- I guess
8 I must have faxed it at the time.

9 Q. Okay. And then what would
10 happen?

11 A. And then he'd receive a check.

12 Q. And then what would you do with
13 the check?

14 A. Geez, I would -- I'm trying to
15 remember. I believe I would deposit it in
16 his account.

17 Q. Okay. What account? Checking?
18 Savings?

19 A. Checking account.

20 Q. Checking account. What bank did
21 he maintain his checking account?

22 A. I believe -- I don't remember
23 the name of it right now. I'm not quite
24 sure what they call it now.

25 Q. What did they call it back then?

1 ANDREA JOY FIRESTONE

2 A. I think it was Roslyn Savings.

3 Q. Did he ever use a Capital One
4 bank?

5 A. Not that I know of.

6 Q. So I'm going to introduce what
7 I'm going to ask to be marked as
8 Exhibit 2.

9 (Whereupon, Exhibit 2 is marked
10 for identification.)

11 BY MR. GENTILE:

12 Q. It's the Jacob M. Dick Revocable
13 Living Trust. Why don't you take a look
14 at that. You don't have to read the whole
15 thing, but I just want to ask you some
16 questions on it.

17 A. Okay.

18 Q. Okay?

19 A. Uh-huh.

20 Q. Do you recognize this document?

21 A. Uh-huh.

22 Q. Can you tell me what it is?

23 A. It's my father's trust.

24 Q. Okay. Can you turn to page 30
25 of that document.

1 ANDREA JOY FIRESTONE

2 A. Yes.

3 Q. Is that your signature on that
4 page?

5 A. Yes, it is.

6 Q. And is that your father's
7 signature on the page?

8 A. Yes, it is.

9 Q. Can you tell me why it was
10 created?

11 A. I have no idea.

12 Q. Okay. What was your role in
13 administering the trust?

14 A. My father trusted me, and he
15 wanted his wishes to be followed out the
16 way he wanted them followed out and knew
17 that I would.

18 Q. Okay. But you're named as a
19 trustee in this trust, right?

20 A. I don't know what that means,
21 but...

22 Q. What did your father expect you
23 to do as a trustee of the trust?

24 A. I have no idea.

25 Q. Did it enable you to -- did it

1 ANDREA JOY FIRESTONE

2 give you certain authority to conduct
3 financial transactions on his behalf?

4 A. I don't really know.

5 Q. Okay. But you were assisting
6 him at least when he was diagnosed -- or
7 after he was diagnosed with Parkinson's
8 with his finances and other things?

9 A. Well, some of them, yes.

10 Q. Okay. How do you recognize this
11 as your dad's signature?

12 A. He was my father.

13 Q. Okay. So is it -- did you --
14 have you seen him -- had you witnessed him
15 signing documents over the years?

16 A. Yes.

17 Q. Okay. And at the time you
18 signed this, you were using the name
19 Marks, correct?

20 A. Correct.

21 Q. I'm going to introduce
22 Exhibit -- what I'm going to mark as
23 Exhibit 3. It's the Last Will and
24 Testament of Jacob M. Dick.

25 ///

1 ANDREA JOY FIRESTONE

2 (Whereupon, Exhibit 3 is marked
3 for identification.)

4 BY MR. GENTILE:

5 Q. Just take a look at it and tell
6 me if you recognize this.

7 (Pause in testimony.)

8 THE WITNESS: Do I recognize it?

9 Yes.

10 BY MR. GENTILE:

11 Q. Okay. And are you the -- or
12 were you the executor of his estate?

13 A. Yes.

14 Q. Okay. Can you go to page -- can
15 you go to page 9 of the document.

16 A. Yes.

17 Q. Is that your father's signature
18 on the page?

19 A. Yes, it is.

20 Q. Okay. And, at the time, you
21 were using the name Cohen; is that
22 correct?

23 A. Uh-huh.

24 Q. Okay. Is -- who's Ira Cohen?

25 A. My ex-husband.

1 ANDREA JOY FIRESTONE

2 Q. Your ex-husband. And you
3 resided with him at 196 Ocean Avenue
4 during that time?

5 A. Correct.

6 Q. Okay. What functions did you
7 perform as the executor of your dad's
8 will?

9 A. Not -- I really don't remember
10 very much. Mostly everything was done by
11 Kaplan & Kaplan.

12 Q. Okay. But you assisted in the
13 administration of the will as the
14 executor, correct?

15 A. Correct.

16 Q. I'm going to introduce another
17 document that I'm going to ask the court
18 reporter to mark as Exhibit 4 and ask you
19 to take a look at it.

20 (Whereupon, Exhibit 4 is marked
21 for identification.)

22 BY MR. GENTILE:

23 Q. Exhibit 4 bears Bates
24 No. AMF00277628. Can you tell me what
25 this is, Ms. Firestone?

1 ANDREA JOY FIRESTONE

2 A. This was a request on my
3 father's behalf.

4 Q. To whom?

5 A. To Jodi at Bernie Madoff
6 Investment Securities.

7 Q. Okay. Can you read the first
8 paragraph including the "Dear Jodi"?

9 A. "Dear Jodi. As per our
10 telephone conversation this morning,
11 please find the document that states that
12 I am my father's power of attorney. His
13 account number is 1-CM883-3-0, and is
14 listed as Jacob M. Dick Revocable Living
15 Trust DTD 4/6/01, Dr. Jacob Dick.

16 "I am requesting that you send a
17 check in his name for the amount of
18 \$100,000 to [REDACTED],
19 [REDACTED], which is the address on
20 file. Thanking you in advance for your
21 prompt attention."

22 Q. Does this refresh your
23 recollection about who you spoke to
24 whenever you contacted BLMIS?

25 A. I guess her name was Jodi.

1 ANDREA JOY FIRESTONE

2 Q. Okay. And at the time you wrote
3 this letter -- I'm sorry. Withdrawn.

4 Is that your signature at the
5 bottom of the letter?

6 A. Yes.

7 Q. Okay. And at the time you
8 signed it, you were using the name Cohen;
9 is that correct?

10 A. Correct.

11 Q. Okay. So were you -- your
12 father -- did you maintain a power of
13 attorney over your father's estate --

14 A. Yes, I did.

15 Q. And this is dated 4/17/07?

16 A. Uh-huh.

17 Q. Okay. I'm going to introduce
18 what I'm going to ask the court reporter
19 to mark as Exhibit 5. It's a document
20 bearing Bates number AMF00277630 to 634.

21 (Whereupon, Exhibit 5 is marked
22 for identification.)

23 BY MR. GENTILE:

24 Q. Can you take a look at that
25 document.

1 ANDREA JOY FIRESTONE

2 (Pause in testimony.)

3 BY MR. GENTILE:

4 Q. Can you tell me what this is,
5 please.

6 A. Power of attorney.

7 Q. Okay. From whom to whom?

8 A. My father to me.

9 Q. Can you turn to page 4 of this
10 document, Bates number AMF00277633. Is
11 that your father's signature at the bottom
12 of that page?

13 A. Yes, it is.

14 Q. Okay. Why did your father give
15 you power of attorney?

16 A. I have no idea.

17 Q. In 2007, was your father
18 suffering from the effects of Parkinson's?

19 A. Yes, he was.

20 Q. Was this an effort to --

21 A. Make it easier for him.

22 Q. Thank you for answering my
23 questions. What did the power of attorney
24 allow you to do for your dad?

25 A. Speak to doctors and sign off on

1 ANDREA JOY FIRESTONE

2 checks for him.

3 Q. Okay. So I'm just going to
4 refer back to Exhibit 4.

5 A. Which one was that?

6 Q. That's the letter from you to
7 Jodi --

8 A. Okay.

9 Q. So in this letter where you're
10 requesting a check in his name for
11 \$100,000 to be sent to 196 Ocean Avenue in
12 Woodmere, which is your residence --

13 A. Correct.

14 Q. -- okay, would that -- your
15 power of attorney allow -- have allowed
16 you to deposit that check on behalf of
17 your dad?

18 A. Yes.

19 Q. Okay. So as your -- your dad,
20 obviously, had a lot of trust in you and
21 gave you power of attorney, he -- or
22 appointed you as attorney on his behalf.
23 He named you the executor to his will.

24 Were you also -- were you also
25 named on his bank accounts?

Page 38

1 ANDREA JOY FIRESTONE

2 A. I can't remember.

3 Q. Did you have signing authority
4 for him on his bank accounts?

5 A. As power of attorney.

6 Q. As power of attorney. So does
7 that mean that you weren't a named
8 accountholder?

9 A. I can't remember -- I can't
10 remember if I was joint or anything like
11 that. I can't remember, but I remember
12 being able to sign off as a power of
13 attorney.

14 Q. Approximately how many requests
15 to BLMIS did you submit on behalf of your
16 dad?

17 A. I couldn't remember.

18 Q. Was it more than 50?

19 A. I could not remember.

20 Q. Was it more than a thousand?

21 A. I could not -- I doubt that, but
22 I could not remember those numbers.

23 Q. Would you say less than 500?

24 A. I couldn't remember, but I'm
25 sure it was.

Page 39

1 ANDREA JOY FIRESTONE

2 Q. Would you say it was more than
3 300?

4 A. I -- I really don't remember.

5 Q. Okay. I'm going to introduce a
6 document I'm going to ask the court
7 reporter to mark as Exhibit 6 bearing
8 Bates No. AMF00277636.

9 (Whereupon, Exhibit 6 is marked
10 for identification.)

11 BY MR. GENTILE:

12 Q. Just take a look at the document
13 for a minute, and let me know when you are
14 ready.

15 (Pause in testimony.)

16 THE WITNESS: Okay.

17 BY MR. GENTILE:

18 Q. Can you tell me who the letter
19 is from and who it is addressed to?

20 A. It is from Arnold Kert, and it
21 was going to a Frank DiPascali.

22 Q. Where does Frank DiPascali work?

23 A. Bernard L. Madoff Investment
24 Securities, LLC.

25 Q. Where does Arnold Kert work?

1 ANDREA JOY FIRESTONE

2 A. It was Weinberg & Kert, LLP,
3 attorneys at law.

4 Q. Can you read the first three
5 paragraphs including the "dear."

6 A. "Dear Mr. DiPascali -- -Pascali.
7 In furtherance of my letter of May 20th, a
8 copy of which is annexed" -- I think that
9 says annexed -- "for your reference, the
10 two accounts split from above-entitled
11 account should read as follows:

12 "'Jacob M. Dick Living Trust,
13 DTD 4/6/01,' with all mailings to be sent
14 to Dr. Jacob Dick care of A.J. Marks, [REDACTED]
15 [REDACTED], [REDACTED],
16 and the second account to read:

17 "June Pollack with all mailings
18 to be sent to [REDACTED]
19 [REDACTED]. I
20 believe her attorney gave you her Social
21 Security number.

22 "I appreciate you taking care of
23 this as quickly as possible. Thanking you
24 in advance for your anticipated prompt
25 attention."

Page 41

1 ANDREA JOY FIRESTONE

2 Q. Okay. Can you read the "re"
3 line above "Dear Mr. DiPascali"?

4 A. Part of it's -- the type isn't
5 all there, so I'm not quite sure if --

6 Q. Read what you can.

7 A. -- that was the number or what.

8 Q. Read what you can.

9 A. Account No. 1-CM325-3- -- I
10 believe it's a 0. I'm not sure.

11 Q. Okay. Do you know why your
12 father split the 1-CM325 account into two
13 accounts?

14 A. This may be when they got
15 divorced.

16 Q. Who's June Pollack?

17 A. That was his wife.

18 Q. Is June Pollack the same person
19 as June Dick?

20 A. Yes.

21 Q. Is "June Pollack" June Dick's
22 maiden name?

23 A. No. That was her second
24 marriage name -- or first marriage name.

25 Q. It was her name just prior to

1 ANDREA JOY FIRESTONE

2 the marriage to your father?

3 A. Correct.

4 Q. So did June Pollack live at the
5 [REDACTED] address?

6 A. Yes.

7 Q. Can you read the handwritten
8 notation on the bottom left of the
9 document?

10 A. File copy. 1-CM883, 1-CM884.

11 Q. Okay. Can you also read the
12 notation, handwritten notation at the top
13 right, right here? What number -- what
14 number does that say?

15 A. 1044, 48398.

16 Q. Okay. Was your father ever
17 represented by Weinberg & Kert LLP?

18 A. Yes.

19 Q. What did they do for him?

20 A. Divorce attorneys.

21 Q. Okay. So Kaplan & Kaplan, what
22 services did they perform?

23 A. They were his trust attorneys, I
24 guess you call it --

25 Q. Estate attorneys?

1 ANDREA JOY FIRESTONE

2 A. Elder care or estate attorney.

3 Q. Okay. And, I'm sorry. Can you
4 just tell me what the letter on the date
5 reads?

6 A. May 27, 2004.

7 Q. Okay. Do you know what the
8 minimum investment was with BLMIS that
9 your father had to make?

10 A. I have no idea.

11 Q. Do you know what investment --
12 or the amount of the investment that your
13 father made with BLMIS?

14 A. No, I do not.

15 Q. Do you know how many accounts
16 your father maintained with BLMIS?

17 A. No, I do not.

18 Q. So even though you communicated
19 on his behalf with BLMIS, you didn't know
20 how many accounts he had?

21 A. No.

22 Q. How did you know what to speak
23 about if you didn't know how many accounts
24 he had?

25 A. Because he told me.

1 ANDREA JOY FIRESTONE

2 Q. I thought you said you were
3 assisting him because he was suffering
4 from the effects of Parkinson's?

5 A. He wasn't feeble. He still had
6 his mind, and he was still able to
7 function.

8 Q. Do you remember the numbers of
9 the accounts that he had? When I say
10 "numbers," I mean the account numbers.

11 A. No, I do not.

12 Q. Okay. Did you direct -- you
13 already testified that you, on behalf of
14 your dad, you facilitated withdrawals from
15 his BLMIS account?

16 A. Correct.

17 Q. Did you facilitate any deposits
18 into his --

19 A. No, I did not.

20 Q. If he was going to make a
21 deposit, would he have enlisted your
22 assistance?

23 A. I wouldn't know that.

24 Q. I'm not saying whether you did,
25 but would he have, in your opinion?

1 ANDREA JOY FIRESTONE

2 A. If he couldn't do it, then he
3 would have asked me to. But I have no
4 idea.

5 Q. Okay. I'm going to introduce a
6 document that I'm going to ask the court
7 reporter to mark as Exhibit 7 bearing
8 Bates numbers MADC0099_0000002 through 3.

9 (Whereupon, Exhibit 7 is marked
10 for identification.)

11 THE WITNESS: Okay.

12 BY MR. GENTILE:

13 Q. So I'm handing you what's marked
14 as Exhibit 7. This document was attached
15 to the trustee's complaint in this
16 adversary proceeding and lists all the
17 deposits and withdrawals that were
18 credited to your farther's two BLMIS
19 accounts over the lives of these accounts.

20 I'm going to go through each of
21 the cash deposits and cash withdrawals
22 listed on the sheet identified as BLMIS
23 account No. 1-CM883, which is page 2,
24 okay?

25 I'm only going to go through the

1 ANDREA JOY FIRESTONE

2 cash deposits and withdrawals for that
3 account.

4 So on Exhibit 7, page 2. I'm
5 going to -- please go to the line that
6 begins with the date 9/8/2004, okay?

7 And read what is under
8 Columns 1, 2 and 4 including the headings
9 to those columns.

10 A. Date, 9/8/2004. Column 2,
11 transaction, description.

12 Q. No. I think you're --

13 A. Column 2 --

14 Q. I'm sorry. Go ahead.

15 A. Transaction description, check.
16 Column 3, transaction, amount.

17 Q. Column 4 I'm asking.

18 A. Oh.

19 Q. 1, 2 and 4.

20 A. Column 4, cash deposit,
21 \$104,928.

22 Q. Okay. I'm going to ask the
23 court reporter -- I'm going to introduce a
24 document that I'm going to ask the court
25 reporter to mark as Exhibit 8 bearing

1 ANDREA JOY FIRESTONE

2 Bates number AMF00277635.

3 (Whereupon, Exhibit 8 is marked
4 for identification.)

5 THE WITNESS: Okay.

6 BY MR. GENTILE:

7 Q. Okay. Is that your father's
8 signature at the bottom --

9 A. Yes, it is.

10 Q. -- of the letter?

11 Can you read the date?

12 A. September 4, 2004.

13 Q. And can you read the first
14 paragraph?

15 A. "Enclosed please find a check in
16 the sum of \$104,928.29. Please deposit it
17 into my account, Jacob M. Dick Revocable
18 Living Trust, account No. 1-CM883-4."

19 I don't know what that says
20 after it. "TRANS No. 88162. If there are
21 any questions, please call me at
22 (516) 239-1400.

23 "Thanking you in advance for
24 your prompt attention. Sincerely,
25 Jacob M. Dick."

1 ANDREA JOY FIRESTONE

2 Q. Does the amount listed on
3 Exhibit 7 next to the date 9/8/2004 under
4 Column 3 --

5 A. Uh-huh.

6 Q. -- does that correspond with the
7 amount --

8 A. No, it does not.

9 Q. Can you read the two amounts?

10 A. \$104,928.29.

11 Q. And where are you reading that
12 from?

13 A. The letter.

14 Q. Which is Exhibit 8 --

15 A. And --

16 Q. I'm sorry. Let me finish. What
17 is on Exhibit 7 under Column 3?

18 A. \$104,928, no cents.

19 Q. So the difference is the \$0.29?

20 A. Correct.

21 Q. Okay. I'm going to introduce a
22 document that I'm going to ask the court
23 reporter to mark as Exhibit 9. It bears
24 Bates number JPMSAI0006305.

25 ///

1 ANDREA JOY FIRESTONE

2 (Whereupon, Exhibit 9 is marked
3 for identification.)

4 THE WITNESS: Okay.

5 BY MR. GENTILE:

6 Q. Can you tell me what this is?

7 A. A check, a bank check.

8 Q. And what bank is it drawn on?

9 A. Roslyn Savings.

10 Q. And who is the listed payee on
11 this check?

12 A. Bernard L. Madoff Investment
13 Securities.

14 Q. Can you read the handwritten
15 notation on the bottom left of that check?

16 A. 1-CM883.

17 Q. Is that the same account number
18 as maintained by your father?

19 A. Yes. Except it doesn't say "-4"
20 on this, on the check.

21 Q. Okay. And what is the amount
22 that the check is made out for?

23 A. \$104,928.29.

24 Q. Does that amount or figure match
25 the figure on Exhibit 8 in the letter?

1 ANDREA JOY FIRESTONE

2 A. Yes.

3 Q. And does that amount on
4 Exhibit 9 on the check match the amount
5 listed under Column 4 on Exhibit 7?

6 A. No.

7 Q. What's the difference between
8 the two?

9 A. \$0.29.

10 Q. Okay. Can you look at the front
11 of the check at the two signatures?

12 A. Okay.

13 Q. Who is Margaret Case?

14 A. I have no idea.

15 Q. Do you know who Ingrid Stone is?

16 A. I have no idea.

17 Q. You testified previously that
18 your father used Roslyn Savings Bank with
19 his --

20 A. Uh-huh.

21 Q. -- for his checking account?
22 Can you tell me if the account
23 number on this check from Roslyn Savings
24 Bank matches the account number used by
25 your father?

1 ANDREA JOY FIRESTONE

2 A. I have no idea.

3 Q. On Exhibit 7, I'm going to ask
4 you to go to the line that begins with
5 4/18/2007, and read what is under
6 Columns 1, 2 and 5.

7 A. Column 1, 4/18/2007. Column 2,
8 check -- transaction description, check.

9 Q. Column 5.

10 A. Column 5, cash withdrawals,
11 100,000.

12 Q. I'm going to introduce a
13 document that I'm going to ask the court
14 reporter to mark as Exhibit 10, bearing
15 Bates number AMF00277628.

16 MR. GENTILE: Actually, I'm
17 sorry. I'm going to withdraw that.

18 BY MR. GENTILE:

19 Q. I'm going to refer you back to
20 Exhibit 4.

21 A. Which one was that?

22 Q. That was the letter dated
23 4/17/07.

24 A. Okay.

25 Q. Okay. You previously read the

1 ANDREA JOY FIRESTONE

2 paragraph -- or this is actually the
3 entire letter into the record. I'm just
4 going to ask you to read the third
5 sentence in this letter.

6 A. "I am" -- "I am requesting that
7 you send a check in his name of the amount
8 of \$100,000 to [REDACTED],
9 [REDACTED], which is the address on
10 file."

11 Q. Okay. And you previously
12 testified that this is your signature at
13 the bottom of the page --

14 A. It was, yes.

15 Q. And this is dated 4/17/07?

16 A. Correct.

17 Q. And the letter is to Bernard L.
18 Madoff Investment Securities?

19 A. Correct.

20 Q. Okay. Does the figure in that
21 letter of \$100,000 match the figure under
22 Column 5 on Exhibit 7 along the line of
23 4/18/2007?

24 A. Yes.

25 Q. Okay.

1 ANDREA JOY FIRESTONE

2 MR. GENTILE: I'm going to
3 introduce a document that I'm going to
4 ask the court reporter to mark as
5 Exhibit 10 bearing Bates number
6 MADWAA00267820 and 21.

7 (Whereupon, Exhibit 10 is marked
8 for identification.)

9 BY MR. GENTILE:

10 Q. Can you tell me what this is?

11 A. It's a check directly from
12 Bernard L. Madoff.

13 Q. To whom is it addressed?

14 A. Jacob M. Dick Rev Living Trust
15 dated 4/6/01, Dr. Jacob Dick.

16 Q. Can you tell me the date on the
17 check?

18 A. 4/18/07.

19 Q. Can you tell me the amount the
20 check was written for?

21 A. \$100,000.

22 Q. I'm sorry?

23 A. \$100,000.

24 Q. Can you read the notation on the
25 bottom left of the check?

1 ANDREA JOY FIRESTONE

2 A. 1-CM883-3.

3 Q. Okay. Can you look at the
4 second page of which -- of Exhibit 10,
5 which is the reverse side of the check?

6 A. Yep.

7 Q. Can you tell me, is that your
8 father's signature on the back of the
9 check --

10 A. Yes, it is.

11 Q. Okay.

12 A. When was this check for? That
13 was my father's signature.

14 Q. Does the date of this check,
15 4/18/07, match the entry on Exhibit 7 --

16 A. Yes.

17 Q. -- 4/18/2007?

18 Does the amount that the check
19 is written for, \$100,000, match the amount
20 on Exhibit 7 in the entry of 4/18/2007?

21 A. Yes.

22 Q. Please go to the line on
23 Exhibit 7 that begins with 4/9/2008, and
24 read what is under Columns 1, 2 and 5
25 including the headings.

1 ANDREA JOY FIRESTONE

2 A. Column 1, date, 4/9/2008. I'm
3 sorry. What were the columns?

4 Q. Column 2.

5 A. Column 2, transaction
6 description, check.

7 Q. And Column 5.

8 A. And Column 5, cash withdrawal,
9 \$100,000.

10 Q. Okay. I'm going to introduce a
11 document that I'm going to ask the court
12 reporter to mark as Exhibit 11 bearing
13 Bates number MADWAA00297797 through 98.

14 (Whereupon, Exhibit 11 is marked
15 for identification.)

16 BY MR. GENTILE:

17 Q. Can you tell me what this is?

18 A. It's a check.

19 Q. From whom?

20 A. Bernard L. Madoff.

21 Q. And who is the check made out
22 to?

23 A. Jacob M. Dick Revocable Living
24 Trust dated 4/6/01, Dr. Jacob Dick.

25 Q. And how much is the check made

1 ANDREA JOY FIRESTONE

2 out --

3 A. \$100,000.

4 Q. And what is the date of the
5 check?

6 A. 4/9/08.

7 Q. And can you read the notation on
8 the bottom left of the check?

9 A. 1-CM883-3.

10 Q. Can you look at the second page,
11 which is a reverse side of the check?

12 A. Uh-huh.

13 Q. Is that your signature on the
14 back of the check?

15 A. Yes. With stating that I was my
16 father's power of attorney.

17 Q. And you were using the name
18 Marks at the time --

19 A. Correct.

20 Q. -- is that correct?

21 Is the date of the check
22 consistent with the date on Exhibit 7 next
23 to the entry 4/9/2008?

24 A. Yes.

25 Q. Is the amount of the check

1 ANDREA JOY FIRESTONE

2 consistent with Exhibit 7 --

3 A. Yes.

4 Q. -- on -- let me finish my
5 question. -- next to the entry 4/9/2008
6 under Column 5 --

7 A. Yes.

8 Q. -- "withdrawals"?

9 Please go to the line on
10 Exhibit 7 that begins with 8/25/2008, and
11 read what is under Columns 1, 2 and 5
12 including the headings.

13 A. Column 1, date, 8/25/2008.
14 Column 2, transaction description, check.
15 Column 5, cash withdrawals, \$75,000.

16 Q. Okay. I'm going to introduce a
17 document that I'm going to ask the court
18 reporter to mark as Exhibit 13 -- I'm
19 sorry -- Exhibit 12 bearing Bates number
20 AMF00277625.

21 (Whereupon, Exhibit 12 is marked
22 for identification.)

23 BY MR. GENTILE:

24 Q. Take a moment to review it.

25 (Pause in testimony.)

1 ANDREA JOY FIRESTONE

2 BY MR. GENTILE:

3 Q. Okay. Can you tell me what this
4 is?

5 A. It was a letter authorizing
6 Bernard L. Madoff Securities, LLC to
7 distribute a check to Douglas J. Sturlingh
8 for \$75,000.

9 Q. Okay. Who is the -- who is the
10 letter written by?

11 A. It was written by me.

12 Q. Okay. Is that your signature at
13 the bottom --

14 A. Yes --

15 Q. -- of the letter?

16 A. -- it is.

17 Q. Okay. What name were you using
18 at the time?

19 A. Cohen.

20 Q. Can you read the first paragraph
21 of the letter including the "Dear"?

22 A. "Dear Erin." The print is all
23 messed up. So I'm assuming that is an "I,
24 Andrea Joy Cohen, formerly known as A.J.
25 Marks as trustee of Jacob M. Dick

1 ANDREA JOY FIRESTONE
2 Revocable Living Trust do hereby authorize
3 and direct you to liquidate sufficient
4 funds from the account maintained by
5 Jacob M. Dick Revocable Living Trust under
6 account No. 1-CM883-3-0 so that we can
7 receive a distribution check payable to
8 the order of Douglas J. Sturlingh in the
9 sum of \$75,000."

10 Q. Okay. What's the date of this
11 letter?

12 A. August 19, 2008.

13 Q. Okay. Is the figure listed in
14 the letter of \$75,000 consistent with the
15 figure on Exhibit 7 under Column 5 next to
16 the line beginning with 8/25/2008?

17 A. Yes.

18 Q. Okay. I'm going to introduce a
19 document that I'm going to ask the court
20 reporter to mark as Exhibit 13 bearing
21 Bates number MADWAA00300724 and 725.

22 (Whereupon, Exhibit 13 is marked
23 for identification.)

24 BY MR. GENTILE:

25 Q. Please take a moment to review

Page 60

1 ANDREA JOY FIRESTONE

2 this document.

3 A. Okay.

4 Q. Can you tell me what this is?

5 A. It's a check.

6 Q. From whom?

7 A. Bernard L. Madoff.

8 Q. Who is the payee on the check?

9 A. Jacob M. Dick Revocable Living
10 Trust dated 4/6/01, Dr. Jacob Dick.

11 Q. And what is the amount the check
12 is made out for?

13 A. \$75,000.

14 Q. Can you tell me the date of the
15 check?

16 A. 8/25/08.

17 Q. Okay. On the bottom left, can
18 you tell me the notation on the front of
19 the check?

20 A. 1-CM883-3.

21 Q. Is the date of the check
22 consistent with the date on Exhibit 7
23 under Column 1 next to the line saying
24 8/25/2008?

25 A. Yes.

1 ANDREA JOY FIRESTONE

2 Q. Is the amount of the check
3 consistent with Exhibit 7 under Column 5
4 next to the entry 8/25/2008?

5 A. Yes.

6 Q. And what's that amount?

7 A. \$75,000.

8 Q. Okay. Can you look at page 2 of
9 the check, which is the reverse side of
10 the check? Can you read the top portion
11 that's stamped on the check?

12 A. "Credited to the account of the
13 within named payee, Capital One North
14 America."

15 Q. Does this refresh your
16 recollection about whether your father
17 maintained an account at Capital One Bank?

18 A. He did not. As far as I know,
19 he did not have a Capital One account.

20 Q. This check was cut on 8/25/2008.
21 Do you remember receiving this check?

22 A. This check had to do with my
23 father's estate. He had already passed.

24 Q. Okay.

25 A. This went to my brother.

1 ANDREA JOY FIRESTONE

2 Q. Is Douglas Sturlingh your
3 brother?

4 A. Yes.

5 Q. So when you received this check,
6 what did you do? Where did you deposit
7 it?

8 A. I had nothing to do with it. It
9 had already been taken over by Kaplan &
10 Kaplan.

11 Q. Well, you say you had nothing to
12 do with it, but you sent a letter to BLMIS
13 requesting the withdrawal, correct?

14 A. Through Kaplan & Kaplan.

15 Q. So I'll refer you back to
16 Exhibit 12, which is a letter.

17 A. Yeah.

18 Q. Okay. You asked -- is it
19 correct that you asked BLMIS to overnight
20 the delivery to Kaplan & Kaplan?

21 A. That's what it says.

22 Q. So is that correct?

23 A. Yes.

24 Q. So is it possible that Kaplan &
25 Kaplan maintained a Capital One Bank

1 ANDREA JOY FIRESTONE

2 account?

3 A. That's possible. I don't
4 remember.

5 Q. Okay. Do you know if Kaplan &
6 Kaplan issued a check for the amount of
7 \$75,000 to Douglas Sturlingh?

8 A. I don't know.

9 Q. Just give me one minute.

10 A. Can I take a break?

11 MR. GENTILE: Yes, let's take a
12 break.

13 THE VIDEOGRAPHER: The time is
14 now 11:20 in the a.m. We're going off
15 the record.

16 (Whereupon, a recess in the
17 proceedings was taken at
18 11:22 a.m.)

19 THE VIDEOGRAPHER: Time is now
20 11:26 in the a.m. We're back on video
21 record. Start of DVD No. 2.

22 BY MR. GENTILE:

23 Q. Okay. Ms. Firestone, please go
24 to the line on Exhibit 7 that begins with
25 9/16/08 and read what is under Columns 1,

1 ANDREA JOY FIRESTONE

2 2 and 5 including the headings.

3 A. Column 1, date, 9/16/2008.

4 Column 2, transaction description, check.

5 Column 5, cash withdrawal, \$1,509,474.

6 MR. GENTILE: I'm going to

7 introduce a document that I'm going to

8 ask the court reporter to mark as

9 Exhibit 14 bearing Bates number

10 AMF00277621 and 622.

11 (Whereupon, Exhibit 14 is marked

12 for identification.)

13 THE WITNESS: Okay.

14 BY MR. GENTILE:

15 Q. With respect to the first page,

16 can you tell me what that is?

17 A. It's a letter from Kaplan &

18 Kaplan to Bernard L. Madoff Securities,

19 LLC.

20 Q. Okay. Can you read the re on

21 the letter?

22 A. "Jacob M. Dick Revocable Living

23 Trust, account No. 1-CM883-3-0."

24 Q. Okay. Can you read the first

25 two paragraphs of the letter, please,

1 ANDREA JOY FIRESTONE

2 including the "dear"?

3 A. It kind of looks like some of
4 it's been whited out.

5 "Dear Eric. In connection with
6 the administration of the above-referred
7 Jacob M. Dick Revocable Living Trust, we
8 are writing to request that the
9 above-referenced account be liquidated and
10 closed out in its entirety and a check be
11 issued for the entire balance payable to
12 Jacob M. Dick Revocable Living Trust.
13 Please send a check to the undersigned at
14 the above address.

15 "We are also enclosing a letter
16 of authorization signed by Andrea Joy
17 Cohen, formerly known as A.J. Marks,
18 authorizing the above-requested
19 transaction."

20 Q. When you say "whited out," are
21 you talking about the line that says "Dear
22 Eric"?

23 A. Uh-huh.

24 Q. That's the only portion that
25 you're saying is not clear?

1 ANDREA JOY FIRESTONE

2 A. No, it looks like it's been
3 whited out.

4 Q. If it was whited out, how would
5 you know it was whited out if it wasn't
6 there?

7 A. Well, you can -- you can only
8 see -- that you can't see the type at all.

9 Q. The type on what part of the
10 letter? Next to the "Dear Eric"?

11 A. Correct.

12 Q. You don't see that in any other
13 part of the letter, though, do you?

14 A. No.

15 Q. Can you read the handwritten
16 notation on the bottom right?

17 A. "Check out 9/10."

18 Q. The figure below that?

19 A. \$1,409,474, and I don't know if
20 it says \$0.99 or \$0.49.

21 Q. Is that figure consistent with
22 the line on Exhibit 7 beginning with
23 9/16/2008 under Column 5?

24 A. The cents are missing.

25 Q. The cents being how much?

Page 67

1 ANDREA JOY FIRESTONE

2 A. I can't tell.

3 Q. Okay. But the \$1,509,474 figure
4 is consistent --

5 A. Yes.

6 Q. I'm going to refer you to the
7 second page of this document. Is -- can
8 you tell me what this is?

9 A. It's a letter of authorization
10 asking Bernard L. Madoff Securities, LLC
11 to close out the account and issue a check
12 for the balance.

13 Q. Close out what account?

14 A. Account No. 1-CM883-3-0.

15 Q. Is that your father's account?

16 A. Yes, it is.

17 Q. Okay. What's the date of this
18 letter?

19 A. September 3, 2008.

20 Q. Is that your signature on the
21 bottom of the letter?

22 A. Yes, it is.

23 Q. Were you using the name Andrea
24 Joy Cohen at the time?

25 A. Yes, I was.

1 ANDREA JOY FIRESTONE

2 Q. Okay. Is this the letter of
3 authorization referenced in the previous
4 page?

5 A. I assume so.

6 Q. Okay. I'm going to introduce a
7 document that I'm going to ask the court
8 reporter to mark as Exhibit 15 bearing
9 Bates numbers MADWAA00302409 and 2410.

10 (Whereupon, Exhibit 15 is marked
11 for identification.)

12 BY MR. GENTILE:

13 Q. Can you tell me what this is?

14 A. It's a check from Bernard L.
15 Madoff to Jacob M. Dick Revocable Living
16 Trust dated 4/6/01, Dr. Jacob Dick.

17 Q. What's the date of the check?

18 A. 9/10/08.

19 Q. And can you read the notation on
20 the bottom left of the check -- of the
21 front of the check?

22 A. 1-CM883-3.

23 Q. Is that your father's BLMIS
24 account number?

25 A. I believe so.

Page 69

1 ANDREA JOY FIRESTONE

2 Q. Is the amount that the check is
3 written for -- can you read the amount the
4 check is written for?

5 A. Yes. \$1,509,474.49.

6 Q. Is the figure on Exhibit 14 --
7 I'm sorry -- Exhibit 15 consistent with
8 the figure on Exhibit 7 under Column 5
9 next to the entry 9/16/2008?

10 A. Except for the \$0.49.

11 Q. Okay. Please go to the line on
12 Exhibit 7 that begins with 10/7/2008, and
13 read what is under Columns 2 and 5
14 including the headings.

15 A. Column 1, date, 10/7/2008.
16 Column 2, transaction description, check.
17 And Column 5, cash withdrawal, \$1,753.

18 MR. GENTILE: I'm going to
19 introduce a document that I'm going to
20 ask the court reporter to mark as
21 Exhibit 16 bearing Bates numbers
22 MADWAA00299814 and 815.

23 (Whereupon, Exhibit 16 is marked
24 for identification.)

25 ///

1 ANDREA JOY FIRESTONE

2 BY MR. GENTILE:

3 Q. Please tell me what this is.

4 A. This is a check from Bernard L.

5 Madoff to Jacob M. Dick Revocable Living

6 Trust dated 4/6/01, Dr. Jacob Dick.

7 Q. What is the date of the check?

8 A. 10/7/08.

9 Q. And what amount is the check
10 made out for?

11 A. \$1,752.86.

12 Q. Is the date of the check
13 consistent with what's listed on Exhibit 7
14 under Column 1 --

15 A. Yes.

16 Q. -- next to 10/7/2008?

17 A. Yes.

18 Q. Is the amount of the check 15 --
19 \$1,752.86 consistent with the amount
20 listed on Exhibit 7 under Column 5 on
21 line -- on the line beginning with
22 10/7/2008 --

23 A. No.

24 Q. What is the difference between
25 the two figures?

1 ANDREA JOY FIRESTONE

2 A. The check is made out for
3 \$1,752.86, and in Column 5, it's \$1,753.

4 Q. So a difference of \$0.14?

5 A. Correct.

6 Q. So we're done with those
7 exhibits for now, so.

8 Did you ever hear of a company
9 called Cohmad?

10 A. Excuse me?

11 Q. Did you ever hear of a company
12 called Cohmad?

13 A. No.

14 Q. Do you know -- did you know or
15 did you ever hear the name Maurice Cohen?

16 A. No.

17 Q. Marsha Cohn?

18 A. No.

19 Q. Richard Spring?

20 A. No.

21 Q. Do you know whether or not your
22 father had his accounts maintained by a
23 company other than Bernard L. Madoff
24 Investment Securities?

25 A. I have no idea.

1 ANDREA JOY FIRESTONE

2 Q. While you were assisting your
3 dad or even before, did you ever come
4 across documents from BLMIS that were sent
5 to your dad?

6 A. Yes.

7 Q. Did you review those documents
8 at the time --

9 A. No.

10 Q. No. Do you know what the
11 documents were?

12 A. We would receive a stack of 50
13 at a time, daily practically.

14 Q. What were they?

15 A. I assumed they were statements.

16 Q. Why do you assume that they were
17 statements? Can you describe the
18 documents?

19 A. I can't remember what they
20 really looked like.

21 Q. But you said that you assumed
22 they were statements for a reason, so I
23 assume --

24 A. Because I asked my father, and
25 he said they were statements.

1 ANDREA JOY FIRESTONE

2 Q. Okay. So your father told you
3 they were statements?

4 A. Yes.

5 Q. And how many -- I'm sorry. You
6 said you received a stack of 50 at a time?

7 A. Sometimes.

8 Q. Were these 50 separate
9 statements or 50 pages attached to one
10 statement?

11 A. No. They would be all different
12 with different amounts on them. I just
13 can't remember exactly what they said or
14 what they were. But they were different.

15 Q. And this was over the course of
16 years? months? weeks?

17 A. We could have received them
18 daily.

19 Q. When you say "could have," did
20 you?

21 A. It's a possibility.

22 Q. But why do you say "daily"? I'm
23 just not sure --

24 A. Because it was very odd that I
25 would get mail like that.

1 ANDREA JOY FIRESTONE

2 Q. So you would receive these
3 statements through the mail, not the fax
4 or email --

5 A. Mail.

6 Q. Mail.

7 Do you know where these
8 statements are now?

9 A. Yes. They got ruined by
10 Hurricane Sandy and full of mildew, and I
11 had to dispose of them.

12 Q. Hurricane Sandy was after this
13 litigation was brought?

14 A. Hurricane Sandy was in 2014.

15 Q. Right. So --

16 A. No. In 2012.

17 Q. Did you produce copies of those
18 statements to your attorneys?

19 A. No. Because they weren't my
20 attorneys, I don't believe, at the time.
21 I didn't -- I didn't give them copies, no.
22 I didn't give anybody copies.

23 All I know is that my entire
24 basement was flooded and mildewed, and I
25 had to get rid of it and then...

1 ANDREA JOY FIRESTONE

2 Q. You were sued in November 2010
3 in this case?

4 A. Uh-huh.

5 Q. So that was at least two years
6 before Sandy?

7 A. Uh-huh.

8 Q. Okay.

9 A. But I had papers, papers and
10 papers that were in my basement that were
11 destroyed.

12 Q. Okay.

13 A. Not by me.

14 Q. Do you know that you're supposed
15 to maintain documents relative to a
16 lawsuit when you're involved in
17 litigation?

18 A. Yes. But you can't maintain
19 something that God destroyed.

20 Q. I know that. But if you were
21 sued two years before they were destroyed,
22 they should have been turned over to your
23 attorneys?

24 A. I have no knowledge.

25 Q. Okay.

1 ANDREA JOY FIRESTONE

2 A. I maintained them, the best of
3 my knowledge, and Sandy destroyed them.

4 Q. You said in preparation for this
5 deposition you spoke with Mr. Ira
6 Schall --

7 A. Yes.

8 Q. -- is that his name?
9 Is he your accountant?

10 A. No.

11 Q. Do you have an accountant,
12 personal accountant?

13 A. My husband deals with the
14 accountant.

15 Q. Okay. Who dealt with your
16 finances of your tax returns during the
17 time that you were managing your dad's
18 affairs prior to 2008?

19 A. My ex-husband did. He filed our
20 taxes. He did everything himself.

21 Q. And that was -- who was that?

22 A. Ira Cohen.

23 Q. Did you receive any other types
24 of documents besides these documents that
25 you characterize as statements from BLMIS?

1 ANDREA JOY FIRESTONE

2 A. Not that I recall.

3 Q. Did you give copies of these
4 statements to your husband, Ira Cohen, at
5 the time to help prepare your tax returns?

6 A. Not that I recall. You mean my
7 personal?

8 Q. Yeah. Yes.

9 A. No.

10 Q. Did you help your father prepare
11 his tax returns?

12 A. I didn't. His accountant did.

13 Q. But not necessarily prepare
14 them, per se, but help prepare him for
15 filling out his tax returns?

16 In other words, gathering his
17 papers and whatever documents he needed?

18 A. Whatever we had --

19 Q. Is that a yes or no?

20 A. -- I would bring to -- firstly,
21 I don't remember. And -- I just don't
22 remember.

23 Q. What is it you don't remember?
24 You said that you gathered --

25 A. I don't remember --

1 ANDREA JOY FIRESTONE

2 Q. -- gathered things --

3 A. I don't remember taking things
4 or gathering them for the attorney.

5 Q. What about after your father
6 passed away?

7 A. After my father passed away,
8 Kaplan & Kaplan dealt with...

9 Q. Do you remember gathering any
10 information for Kaplan & Kaplan for your
11 dad's -- to fill out your father's final
12 tax return?

13 A. Kaplan & Kaplan took care of
14 everything from the moment my father
15 passed away.

16 Q. When did your father pass away?

17 A. June 2008.

18 Q. Okay. I'm going to introduce a
19 document that I'm going to ask the court
20 reporter to mark as Exhibit 17 bearing
21 Bates number AMF00277627.

22 (Whereupon, Exhibit 17 is marked
23 for identification.)

24 MS. ALLIM: This is Exhibit 17?

25 MR. GENTILE: Yes.

Page 79

1 ANDREA JOY FIRESTONE

2 BY MR. GENTILE:

3 Q. Take a moment to review that,
4 please.

5 (Pause in testimony.)

6 THE WITNESS: Okay.

7 BY MR. GENTILE:

8 Q. Please tell me what this
9 document is.

10 A. I have no idea. It's to provide
11 information.

12 Q. Okay. What's the date of the
13 document?

14 A. July 22, 2008.

15 Q. Is that before or after your
16 father --

17 A. After.

18 Q. Who is it addressed to?

19 A. Bernard L. Madoff.

20 Q. Who authored the letter?

21 A. Who authored it?

22 Q. Yes.

23 A. I did.

24 Q. Is that your signature on the
25 bottom of the page?

1 ANDREA JOY FIRESTONE

2 A. Yes.

3 Q. Were you using the name "Cohen"
4 at the time?

5 A. Uh-huh.

6 Q. Okay. Can you read the subject
7 line of the letter, please?

8 A. I'm sorry. Where exactly did
9 you want me to? "Jacob M. Dick Revocable
10 Living Trust DTD 4/6/01, care of A.J.
11 Cohen, [REDACTED]

12 [REDACTED], account number all."

13 Q. Can you read the letter?

14 A. "Fax No. (212) 83" -- oh, that
15 must be their fax. I don't know.
16 "(212) 838-4061. To whom it may concern.
17 For the years 2005, 2006 and 2007, please
18 provide us with the following:

19 "1, 1099 DIV;

20 "2, 1099-B proceeds from broker
21 transactions;

22 "3, short-term and long-term
23 capital gains and losses schedules."

24 Q. Can you read the handwritten
25 notation on the top right?

1 ANDREA JOY FIRESTONE

2 A. No. No, I can't read that. I
3 have no idea what that says.

4 Q. It doesn't say 1-CM883?

5 A. Oh, is that what it says?

6 Q. I'm asking you. Is that what
7 you see?

8 A. I see scribble.

9 Q. Okay.

10 A. I see something that says 883,
11 but I don't know what was before that.

12 Q. Is 1-CM838 your father's BLMIS
13 account number?

14 A. Yes.

15 Q. Does this help refresh your
16 recollection whether or not you assisted
17 your father or your father's estate in
18 gathering documents for his tax returns?

19 A. I was told to do this after the
20 fact.

21 Q. Who were you told to do it by?

22 A. By his -- Kaplan & Kaplan.

23 Q. Who at Kaplan & Kaplan told you
24 to --

25 A. I can't remember his name.

1 ANDREA JOY FIRESTONE

2 MR. GENTILE: Okay. I'm going
3 to introduce a document that I'm going
4 to ask the court reporter to mark as
5 Exhibit 18.

6 BY MR. GENTILE:

7 Q. It's your answer to the
8 trustee's complaint.

9 (Whereupon, Exhibit 18 is marked
10 for identification.)

11 BY MR. GENTILE:

12 Q. Please turn to page 24,
13 paragraph 20 of your answer. Can you
14 read -- well, actually, you know what,
15 I'll read it. I'm sorry.

16 So paragraph 20 says, "The
17 trustee has fraudulently calculated
18 defendants' liability by charging
19 defendants with withdrawals that the
20 trustee has no proof were taken."

21 After going -- after going
22 through the withdrawals on Exhibit 7 for
23 account No. 1-CM883, are you able to
24 identify any withdrawals for which the
25 trustee has no proof?

1 ANDREA JOY FIRESTONE

2 (Court reporter asks for an
3 audible response.)

4 THE WITNESS: No.

5 BY MR. GENTILE:

6 Q. Please turn to page 26,
7 paragraph 37. You say that the
8 withdrawals the trustee seeks to
9 recover --

10 A. Where --

11 Q. Paragraph 37 on page 26.

12 A. Uh-huh.

13 Q. Okay. You say that, "The
14 withdrawals that the trustee seeks to
15 recover were legally compelled under state
16 and federal securities laws."

17 What laws compelled you to make
18 the withdrawals that were made?

19 A. I don't understand this question
20 at all.

21 Q. Well, these are your responses
22 to our claims, so I'm reading back your
23 words to us.

24 A. My attorney -- I left it all up
25 to my attorney.

1 ANDREA JOY FIRESTONE

2 Q. Okay. Is it fair to say that
3 you don't know what laws compelled you to
4 withdraw money from the BLMIS account?

5 A. As I said before, I left it all
6 up to my attorney.

7 Q. That wasn't my question. Is it
8 fair to say that you don't know what laws
9 compelled you to withdraw money from the
10 BLMIS account?

11 A. I guess not. I don't know what
12 laws...

13 Q. Okay. I'm sorry. Page 27,
14 paragraph 46.

15 A. Paragraph what?

16 Q. 46. Just the first line. It
17 says, "The trustee's claims are barred in
18 whole or part for failure to properly
19 credit Defendant with all of Defendant's
20 deposits."

21 For account 1-CM883, are there
22 any deposits with which you were not
23 credited?

24 A. I have no knowledge.

25 Q. Do you know what that statement

1 ANDREA JOY FIRESTONE

2 that I just read is based on?

3 A. I'm not an attorney. I don't
4 understand this. I left it all up to my
5 attorney.

6 Q. Okay. I'm going to ask you to
7 turn to page 25, paragraph 27. I'm sorry.
8 Page -- oh, yeah, page 25, paragraph 27.

9 "The trustee's claims are barred
10 in whole or part for failure to properly
11 credit inter-account transfers, profit
12 withdrawals and other adjustments."

13 Can you tell me what "other
14 adjustments" means?

15 A. If you could tell me what that
16 sentence means.

17 Q. Well, that's not my -- that's
18 not why we're here today, for me to
19 explain your responses to me.

20 A. Well, I'm not an attorney, and I
21 can't figure that out.

22 Q. Okay. I'm going to ask you to
23 go to paragraph -- I'm sorry -- page 23.
24 Page 23, paragraph 16.

25 "The Defendants are entitled to

1 ANDREA JOY FIRESTONE
2 set off recoupment and/or equitable
3 adjustments because each year Defendants
4 were required to pay taxes on the
5 fictitious profits reported on, among
6 other things, IRS form 1099 and other
7 information reported by BLMIS or Madoff to
8 the Internal Revenue Service, state and/or
9 local taxing authorities."

10 Can you tell me how much you
11 were required to pay in taxes each year
12 because of the fictitious profits?

13 A. I have no idea.

14 Q. Okay. Do you have copies of the
15 returns that you prepared during the years
16 that you help -- I'm sorry.

17 Do you have copies of your dad's
18 returns for the years that you helped
19 manage his BLMIS --

20 A. As I said, everything got
21 destroyed in Sandy.

22 Q. Does your father's accountant
23 have copies of those returns?

24 A. If he had copies, he would have
25 handed them in, as far as I know. I don't

Page 87

1 ANDREA JOY FIRESTONE

2 know.

3 Q. Is Ira Schall your father's
4 accountant or your accountant?

5 A. He's not my accountant, and he
6 was my father's for a very short time.

7 Q. So you said you spoke with him
8 in preparation for this deposition. Did
9 you ask him for the tax returns, your
10 father's tax returns?

11 A. He gave whatever he had -- that
12 we had at the time --

13 Q. Okay.

14 A. -- over the -- whatever year.

15 Q. Who did he give those documents
16 to?

17 A. To the accountant -- to my
18 attorney.

19 Q. Okay. Do you know what years he
20 provided to your attorney --

21 A. No, I don't.

22 Q. What was your conversation with
23 him then? You said you spoke with him in
24 preparation for this deposition. What did
25 you speak about?

1 ANDREA JOY FIRESTONE

2 A. Just to see if he could locate
3 whatever he had or what of my father.

4 Q. Okay.

5 A. But I believe he has no
6 knowledge of...

7 Q. Okay. I'm going to introduce a
8 document that I'm going to ask the court
9 reporter to mark as Exhibit 19. It's your
10 responses and objections to the trustee's
11 first set of interrogatories.

12 (Whereupon, Exhibit 19 is marked
13 for identification.)

14 THE WITNESS: Okay.

15 BY MR. GENTILE:

16 Q. Have you seen this document
17 before?

18 A. Yes.

19 Q. Can you tell me when?

20 A. The exact date, no.

21 Q. Approximately it was served --

22 A. It was this year.

23 Q. It was this year, okay.

24 Did you assist in its
25 preparation?

1 ANDREA JOY FIRESTONE

2 A. I left this to my attorney.

3 Q. Can you turn to the
4 second-to-last page of the document.

5 Is that your signature at the
6 bottom of the page?

7 A. Yes, it is.

8 Q. Can you read the paragraph? I
9 know it's a little blurry, but the best
10 you can.

11 A. Which paragraph?

12 Q. The paragraph here.

13 A. "I, Andrea J. Marks, declare
14 pursuant to" -- I can't read any of
15 that -- "1746 that I have read" the
16 something -- it's all blurred -- "answers
17 and that I" -- "the responses contained
18 therein are true and correct to the best
19 of my knowledge, information and belief.

20 "I understand that if any of
21 these responses" something "bound to be
22 willfully false, I am subject to
23 punishment."

24 Q. Okay. Did you take any steps to
25 ensure that your responses were correct?

Page 90

1 ANDREA JOY FIRESTONE

2 Did you review any documents? Did you
3 speak with anybody?

4 A. I spoke to my attorney.

5 Q. Outside of your attorney.

6 A. I don't understand your question
7 then.

8 Q. Okay. Other than your
9 attorneys, did you work with anybody or
10 consult with anybody to ensure that the
11 responses provided in here were correct?

12 A. No.

13 Q. Okay. Can you turn to page --
14 I'm sorry. One second.

15 Can you turn to page 8, and
16 subparagraph (a), small (a)?

17 A. Uh-huh.

18 Q. Okay. I'm going to read it.
19 "The defense concerning payment of capital
20 gains taxes is based upon responding
21 party's testimony as to the payment of
22 taxes at the applicable tax rates for each
23 year of the account and the reported
24 income as reflected in Madoff's statements
25 which are in the trustee's possession."

1 ANDREA JOY FIRESTONE

2 Responding party is you. Can
3 you tell me what testimony that you gave
4 that this refers to?

5 A. I don't understand what you're
6 asking me.

7 Q. Well, I'm pointing you to a
8 response that you provided to us, to the
9 trustee, and in your response you said --
10 that your response is based on testimony
11 that you gave.

12 Did you give any testimony in
13 this case?

14 A. It would have been through my
15 attorney.

16 Q. Testimony means that you give
17 statements, sworn statements to somebody
18 or to a court or to a judicial officer in
19 regards to --

20 A. Through my attorney, yes,
21 through my attorney.

22 Q. What testimony?

23 A. In regards to moneys that were
24 stated that my father had through Madoff.

25 Q. Okay. So is it your testimony

Page 92

1 ANDREA JOY FIRESTONE

2 now that the testimony that this document
3 refers to are statements you made to your
4 attorneys?

5 A. If I'm -- if I'm understanding
6 what you're asking me, everything went
7 through my attorneys. Yes, any questions,
8 any statements, any anything went through
9 my attorney.

10 Q. Okay.

11 MR. GENTILE: That's it.

12 MS. ALLIM: Okay.

13 THE VIDEOGRAPHER: Any
14 questions?

15 MS. ALLIM: Yeah, I just have a
16 few.

17 THE VIDEOGRAPHER: Okay.

18 EXAMINATION

19 BY MS. ALLIM:

20 Q. So, Andrea, turn to Exhibit 12,
21 if you have it. Do you have it? Do you
22 want me to --

23 A. I'll find it.

24 Q. Okay.

25 A. Yep.

1 ANDREA JOY FIRESTONE

2 Q. Okay. Did you draft this
3 letter?

4 A. No, I did not.

5 Q. Okay. Who drafted this letter?

6 A. Kaplan & Kaplan.

7 Q. Did you understand the content
8 of the letter?

9 A. I did whatever they told me to
10 do.

11 Q. So --

12 A. They said sign it, I signed it.

13 Q. Did you understand the
14 circumstances under which this transfer --
15 well, strike that -- which this request
16 was made?

17 A. Excuse me?

18 Q. Do you understand the
19 circumstances under which this request was
20 made? Do you understand why this request
21 was made?

22 A. Yes.

23 Q. And who explained that to you?

24 A. If I remember correctly, it was
25 Kaplan & Kaplan.

Page 94

1 ANDREA JOY FIRESTONE

2 Q. Okay. But you didn't draft the
3 letter?

4 A. Absolutely not.

5 Q. So what was your participation
6 in this?

7 A. That I was the executor of my
8 father's trust.

9 Q. And you signed it --

10 A. And I signed it. That was it.

11 Q. Okay. So Exhibit 13. So this
12 is --

13 A. What did it look like?

14 Q. -- the check --

15 A. Okay.

16 Q. -- dated 8/25/08.

17 A. 10, 11, 12 -- I'm sorry.

18 Q. It should be Exhibit 13.

19 A. I thought I kept them in order.
20 Apparently -- here I have it. Okay.

21 Q. Okay. So you testified earlier
22 that this is a check from Bernard L.
23 Madoff to Jacob Dick Trust, 8/25/08 for
24 75,000?

25 A. Uh-huh.

1 ANDREA JOY FIRESTONE

2 Q. And on the back it says

3 "Credited to the account of the" --

4 "within the payee Capital One"?

5 A. Uh-huh.

6 Q. Are you familiar with a Capital

7 One account?

8 A. I was -- I believe, thinking

9 back, after my father's death Kaplan &

10 Kaplan had a Capital One account opened.

11 Q. Did you have a Capital One

12 account?

13 A. My own?

14 Q. Yes.

15 A. I don't remember.

16 Q. Did your father?

17 A. I don't remember.

18 Q. You weren't named on this --

19 were you named on this Capital One account

20 at all?

21 A. I don't remember.

22 Q. Okay. So now let's look at

23 Exhibit 14.

24 A. Okay.

25 MS. ALLIM: It would be your 15,

1 ANDREA JOY FIRESTONE

2 I believe, Dominic. That's one I had.

3 BY MS. ALLIM:

4 Q. So this is a letter from Kaplan
5 & Kaplan. Did you see this cover letter
6 before signing this second letter of
7 authorization --

8 A. Absolutely not.

9 Q. Did you draft this letter of
10 authorization attached?

11 A. Absolutely not.

12 Q. Do you understand the content of
13 it?

14 A. Yes.

15 Q. Okay. Who explained this -- the
16 content of which -- let's see --

17 A. Of the second --

18 Q. -- not the letter of
19 authorization; the first letter from
20 Kaplan requesting liquidation.

21 A. Do I understand it?

22 Q. Did you at the time?

23 A. At the time, I was so distraught
24 of my father's death that I would have
25 signed anything that they put in front of

1 ANDREA JOY FIRESTONE

2 me.

3 Q. So would it be fair to say that
4 they drafted everything and just directed
5 you to sign?

6 A. Basically.

7 Q. Did you understand what was
8 going on at the time?

9 A. Not as much as I should have.

10 Q. So let's look at Exhibit 15.
11 This is a check from Bernard L. Madoff
12 dated 9/10/08 in the amount of
13 \$1,509,474.49.

14 Now, the back of the check, it
15 says "For deposit only, Jacob M. Dick
16 Revocable Living Trust, account
17 No. [REDACTED] 0714."

18 Are you familiar with this
19 account?

20 A. Not so much.

21 Q. There's no endorsement from you
22 on this?

23 A. No.

24 Q. Do you know who endorsed this
25 check?

1 ANDREA JOY FIRESTONE

2 A. No.

3 Q. Okay. So let's look at
4 Exhibit 16. It's a check from Bernard L.
5 Madoff dated 10/7/08 in the amount of
6 \$1,752.86.

7 Same thing on the back of the
8 check; "For deposit only, Jacob M. Dick
9 Revocable Living Trust, [REDACTED] 4071" -- I
10 don't know what that number is -- I don't
11 know what that is -- but are you familiar
12 with this account?

13 A. No.

14 Q. Did you receive and endorse this
15 check?

16 A. No.

17 Q. Do you know who did?

18 A. No.

19 Q. And, last, Exhibit 17.

20 MS. ALLIM: This was the extra
21 document that you gave me.

22 MR. GENTILE: Okay.

23 THE WITNESS: 17. I don't know
24 what it looked like.

25 ///

1 ANDREA JOY FIRESTONE

2 BY MS. ALLIM:

3 Q. This.

4 MR. GENTILE: This one.

5 BY MS. ALLIM:

6 Q. So this is a letter from
7 July 22, 2008, to Bernard L. Madoff
8 requesting 1099s for '05 to '07. You
9 testified earlier that you authored this
10 letter.

11 Did you write this letter and
12 request this from Bernard L. Madoff?

13 You also testified earlier that
14 you didn't handle the taxes. So did you
15 write this letter?

16 A. I was told exactly what to
17 write.

18 Q. Okay. By who?

19 A. By Kaplan & Kaplan.

20 Q. Okay. Did you ever receive
21 these documents from BLMIS?

22 A. I have absolutely no idea.

23 Q. Okay. Would it be fair to say
24 that Kaplan & Kaplan controlled everything
25 subsequent --

1 ANDREA JOY FIRESTONE

2 A. They did.

3 Q. -- to your father's death?

4 A. They totally controlled
5 everything after.

6 Q. Do you have any personal
7 knowledge of what they did at the time
8 other than asking you to sign the
9 authorizations?

10 A. They dealt with everything.

11 Q. Okay.

12 A. They -- they dealt with
13 the taxes. They dealt with
14 distribution of the money. They dealt
15 with everything.

16 Q. Did you endorse any checks
17 subsequent to your father's check --
18 death?

19 A. I really don't remember.

20 Q. Okay. Thank you.

21 A. It was a very hard time in my
22 life, and I don't remember.

23 Q. Understood. Thanks.

24 MR. GENTILE: Just a couple of
25 follow-up questions.

1 ANDREA JOY FIRESTONE

2 MS. ALLIM: Uh-huh.

3 EXAMINATION

4 BY MR. GENTILE:

5 Q. You already testified that you
6 were the executor of your dad's estate; is
7 that correct?

8 A. Yes.

9 Q. And as the executor, you had
10 certain responsibilities to administer
11 your dad's estate; is that correct?

12 A. Correct.

13 Q. Those are legal
14 responsibilities --

15 A. Yes.

16 Q. -- is that correct?

17 You testified that your father
18 appointed you power of attorney over his
19 financial affairs; is that correct?

20 A. That's correct.

21 Q. Having the power of attorney
22 over your dad's financial affairs provides
23 you with certain legal responsibilities;
24 is that correct?

25 A. Yes.

1 ANDREA JOY FIRESTONE

2 MR. GENTILE: That's it.

3 MS. ALLIM: So I have one more.

4 MR. GENTILE: Sure.

5 EXAMINATION

6 BY MS. ALLIM:

7 Q. So earlier Mr. Gentile asked you
8 if there were any deposits that were in
9 dispute or anything that you didn't
10 recognize.

11 So if you can --

12 MR. GENTILE: Objection. That's
13 not what I said.

14 MS. ALLIM: Okay.

15 BY MS. ALLIM:

16 Q. So let's look at -- let's strike
17 that.

18 Let's look at Exhibit 7.

19 A. Okay.

20 Q. Can you read the third line that
21 begins with 3/7/2005?

22 A. Column 3?

23 Q. Uh-huh.

24 A. \$1,518.

25 Q. Uh-huh. Did you see any checks

1 ANDREA JOY FIRESTONE

2 evidencing that or a deposit for that
3 amount?

4 A. No.

5 Q. So everything listed on
6 Exhibit B, is there anything that might be
7 in dispute?

8 A. This whole page could be in
9 dispute as far as I know.

10 Q. I don't have any further
11 questions.

12 MR. GENTILE: Sorry. Just give
13 me one --

14 MS. ALLIM: Okay.

15 (Pause in testimony.)

16 EXAMINATION

17 BY MR. GENTILE:

18 Q. I'm just going to refer you to
19 Exhibit 19.

20 A. I have a lot here. What does it
21 look like?

22 Q. It's the interrogatory
23 responses.

24 A. There's some here.

25 Q. Here it is. Okay. If you can

1 ANDREA JOY FIRESTONE

2 just go to page 6. No. 10 at the bottom
3 of the page.

4 A. Uh-huh.

5 Q. Can you just read your answer
6 out loud?

7 A. "Respondent party does not
8 dispute the deposit and withdrawal
9 reflected in Exhibit B to the complaint
10 for the period of December 11, 2006, on.
11 Therefore, the trustee does not have any
12 right to any bank information covering
13 this period."

14 Q. So is it correct that you've
15 already admitted -- yes, that you've
16 already admitted that the deposits and
17 withdrawals on Exhibit 7, which is
18 Exhibit B to the complaint, are accurate
19 from December 6, 2007, on?

20 A. Right.

21 Q. Okay. Thank you. That's it.

22 MS. ALLIM: That's it.

23 MR. GENTILE: Okay.

24 THE VIDEOGRAPHER: The time is
25 now 12:19 in the p.m.

1 ANDREA JOY FIRESTONE

2 We're going off the video

3 record. End of DVD No. 2. End of

4 deposition.

5 (At 12:21 p.m., the proceedings

6 conclude.)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 REPORTER CERTIFICATE

2 I, the undersigned, do hereby certify:

3 That ANDREA JOY FIRESTONE was by me duly
4 sworn in the within-entitled cause; that
5 said deposition was taken at the time and
6 place herein named; and that the deposition
7 is a true record of the witness's testimony
8 as reported by me, a disinterested person,
9 and was thereafter transcribed.

10 I further certify that I am not
11 interested in the outcome of the said
12 action, nor connected with, nor related to
13 any of the parties in said action, nor to
14 their respective counsel.

15 IN WITNESS WHEREOF, I have hereunto set
16 my hand this 21st day of September, 2017

17

18

19

20

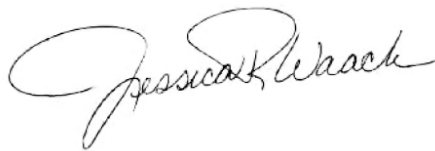
21

22

23

24

25



JESSICA R. WAACK
Registered Diplomate Reporter
Certified Realtime Reporter
California Certified Realtime Reporter
New York Realtime Court Reporter
New York Association Court Reporter
Notary Public, State of New York

Page 107

1 SIGNATURE OF DEPONENT

2

3 I, ANDREA JOY FIRESTONE, do
4 hereby certify that I have read the
5 foregoing transcript of proceedings, taken
6 September 14, 2017, at [!DEPO LOCATION],
7 New York and the same is true and correct
8 except for the list of corrections noted
9 on the annexed page.

10

11 Dated at
12 this day of , 2017.

13

14

15

16 ANDREA JOY FIRESTONE

17

18 SUBSCRIBED AND SWORN BEFORE ME

19

20 THIS DAY OF of , 2017

21

22

23 NOTARY PUBLIC

24

25 MY COMMISSION EXPIRES:_____

26

27

28

Page 108

1 SECURITIES INVESTORS vs. MADOFF

2 Date of Deposition: September 14, 2017

3 Job No.: 30553

4 Reason Codes: 1. To clarify the record.
2. To conform to the facts.
5 3. To correct transcription
6 errors.

7 Page _____ Line _____ Reason _____

8 From _____ to _____

9 Page _____ Line _____ Reason _____

10 From _____ to _____

11 Page _____ Line _____ Reason _____

12 From _____ to _____

13 Page _____ Line _____ Reason _____

14 From _____ to _____

15 Page _____ Line _____ Reason _____

16 From _____ to _____

17 Page _____ Line _____ Reason _____

18 From _____ to _____

19 Page _____ Line _____ Reason _____

20 From _____ to _____

21 Page _____ Line _____ Reason _____

22 From _____ to _____

23 Page _____ Line _____ Reason _____

24 From _____ to _____

25

A			
A.J	action	allowed	48:1 49:1 50:1 51:1
7:21 40:14 58:24 65:17	12:12 106:12,13	37:15	52:1 53:1 54:1 55:1
80:10	actions	America	56:1 57:1 58:1,24
a.m	13:17	61:14	59:1 60:1 61:1 62:1
3:18 9:2,6 63:14,18,20	address	AMF00277621	63:1 64:1 65:1,16
ability	16:25 34:19 42:5 52:9	7:16 64:10	66:1 67:1,23 68:1
12:4	65:14	AMF00277625	69:1 70:1 71:1 72:1
able	addressed	7:11 57:20	73:1 74:1 75:1 76:1
38:12 44:6 82:23	39:19 53:13 79:18	AMF00277627	77:1 78:1 79:1 80:1
above-entitled	adjustments	7:23 78:21	81:1 82:1 83:1 84:1
40:10	85:12,14 86:3	AMF00277628	85:1 86:1 87:1 88:1
above-referenced	administer	6:12 33:24 51:15	89:1,13 90:1 91:1
65:9	101:10	AMF00277630	92:1,20 93:1 94:1
above-referred	administering	6:14 35:20	95:1 96:1 97:1 98:1
65:6	30:13	AMF00277633	99:1 100:1 101:1
above-requested	administration	36:10	102:1 103:1 104:1
65:18	33:13 65:6	AMF00277635	105:1 106:3 107:3,16
absolutely	administrative	6:22 47:2	Andrew
94:4 96:8,11 99:22	17:25 19:3	AMF00277636	18:20
account	admitted	6:17 39:8	annexed
6:18 28:2,3,16,17,19	104:15,16	amount	40:8,9 107:9
28:20,21 34:13 40:11	Adv	34:17 43:12 46:16 48:2	answer
40:16 41:9,12 44:10	1:5	48:7 49:21,24 50:3,4	5:15 11:17,18 24:12
44:15 45:23 46:3	advance	52:7 53:19 54:18,19	26:14 82:7,13 104:5
47:17,18 49:17 50:21	34:20 40:24 47:23	56:25 60:11 61:2,6	answered
50:22,24 59:4,6 61:12	adversary	63:6 69:2,3 70:9,18	27:17
61:17,19 63:2 64:23	9:18 12:18 14:12 45:16	70:19 97:12 98:5	answering
65:9 67:11,13,14,15	affairs	103:3	36:22
68:24 80:12 81:13	76:18 101:19,22	amounts	answers
82:23 84:4,10,21	ago	48:9 73:12	11:11,11 89:16
90:23 95:3,7,10,12,19	20:20	and/or	anticipated
97:16,19 98:12	ahead	86:2,8	40:24
accountant	46:14	Andrea	anybody
19:15 20:3 76:9,11,12	aid	1:23 2:4,23 3:6 5:2 6:2	19:9,12 23:25 25:20
76:14 77:12 86:22	22:4	7:2 8:2 9:1,20 10:1,4	74:22 90:3,9,10
87:4,4,5,17	al	11:1 12:1 13:1 14:1	Apparently
accountholder	9:16	14:17,20,20,21,21	94:20
38:8	Allim	15:1,3,9,14,15,17	applicable
accounts	4:4 5:5,7 10:3,3 12:9	16:1 17:1 18:1 19:1	90:22
22:15,16,17,23,23,24	21:3 78:24 92:12,15	20:1 21:1 22:1 23:1	appointed
24:4 37:25 38:4 40:10	92:19 95:25 96:3	24:1 25:1 26:1 27:1	37:22 101:18
41:13 43:15,20,23	98:20 99:2,5 101:2	28:1 29:1 30:1 31:1	appreciate
44:9 45:19,19 71:22	102:3,6,14,15 103:14	32:1 33:1 34:1 35:1	40:22
accurate	104:22	36:1 37:1 38:1 39:1	approximate
104:18	allow	40:1 41:1 42:1 43:1	14:23
	36:24 37:15	44:1 45:1 46:1 47:1	approximately

15:21 17:7 24:25 25:25 38:14 88:21 April 6:11 Arnold 39:20,25 Article 2:6,9,12,14 Ashley 2:8 14:21 15:8,9,20 16:4,4,5 asked 45:3 62:18,19 72:24 102:7 asking 21:14 46:17 67:10 81:6 91:6 92:6 100:8 asks 26:3 83:2 assist 88:24 assistance 44:22 assistant 18:2,20 19:3 assisted 33:12 81:16 assisting 31:5 44:3 72:2 association 3:12 9:8 106:24 assume 68:5 72:16,23 assumed 72:15,21 assuming 58:23 attached 8:11 45:14 73:9 96:10 attention 34:21 40:25 47:24 attorney 6:13 19:10,19,22 20:7 20:22 34:12 35:13 36:6,15,23 37:15,21 37:22 38:5,6,13 40:20	43:2 56:16 78:4 83:24 83:25 84:6 85:3,5,20 87:18,20 89:2 90:4,5 91:15,20,21 92:9 101:18,21 attorneys 9:22 10:19 19:11 40:3 42:20,23,25 74:18,20 75:23 90:9 92:4,7 audible 11:11 83:3 August 7:9 59:12 authored 79:20,21 99:9 authorities 86:9 authority 31:2 38:3 authorization 65:16 67:9 68:3 96:7 96:10,19 authorizations 100:9 authorize 59:2 authorizing 58:5 65:18 available 13:11 Avenue 3:15 4:5 9:12 17:5 33:3 34:18 37:11 40:15 52:8 80:11 <hr/> B <hr/> B 103:6 104:9,18 back 16:10,20 18:7,13 28:25 37:4 51:19 54:8 56:14 62:15 63:20 83:22 95:2,9 97:14 98:7 background 17:14 BAKER	4:11 balance 65:11 67:12 bank 28:20 29:4 37:25 38:4 49:7,8 50:18,24 61:17 62:25 104:12 Bankruptcy 1:1 9:17 barred 84:17 85:9 based 85:2 90:20 91:10 basement 74:24 75:10 Basically 97:6 Bates 6:11,14,16,19,22,24 7:5,7,10,13,15,18,20 7:22 33:23 35:20 36:10 39:8 45:8 47:2 48:24 51:15 53:5 55:13 57:19 59:21 64:9 68:9 69:21 78:21 Beach 17:3 bear 12:13 bearing 35:20 39:7 45:7 46:25 51:14 53:5 55:12 57:19 59:20 64:9 68:8 69:21 78:20 bears 33:23 48:23 beginning 59:16 66:22 70:21 begins 46:6 51:4 54:23 57:10 63:24 69:12 102:21 behalf 4:2,10 24:20 25:21 31:3 34:3 37:16,22 38:15 43:19 44:13 belief	89:19 believe 12:6 15:6,12,16 20:17 26:22,22 28:15,22 40:20 41:10 68:25 74:20 88:5 95:8 96:2 Belle 27:8 Bendish 9:8 beneficiary 2:4,5,9,12,15,18 Bernard 1:6,10,14,15 22:10 23:22 39:23 49:12 52:17 53:12 55:20 58:6 60:7 64:18 67:10 68:14 70:4 71:23 79:19 94:22 97:11 98:4 99:7,12 Bernie 22:13 34:5 best 11:2 76:2 89:9,18 bills 27:19,22 BLMIS 6:18 22:9,16,17 23:19 24:5,20 25:21 26:6 27:16 34:24 38:15 43:8,13,16,19 44:15 45:18,22 62:12,19 68:23 72:4 76:25 81:12 84:4,10 86:7,19 99:21 blurred 89:16 blurry 89:9 born 15:4 bottom 35:5 36:11 42:8 47:8 49:15 52:13 53:25 56:8 58:13 60:17 66:16 67:21 68:20
--	--	---	--

79:25 89:6 104:2 bound 13:23 89:21 break 11:20,24 63:10,12 BREEN 2:11,15 brief 17:13 Briefly 18:9 bring 77:20 broker 80:20 brother 61:25 62:3 brought 74:13 Buccellatto 27:11	45:21,21 46:2,20 51:10 55:8 57:15 64:5 69:17 cause 106:4 CCR 2:24 CCRR 2:24 center 4:13 18:17 Central 17:11 40:18 42:5 cents 48:18 66:24,25 certain 31:2 101:10,23 CERTIFICATE 106:1 Certified 3:9,10,11,13 106:23,23 certify 106:2,10 107:4 Chaitman 4:3 10:4 characterize 76:25 charging 82:18 check 6:23 7:5,7,12,17,19 28:11,13 34:17 37:10 37:16 46:15 47:15 49:7,7,11,15,20,22 50:4,11,23 51:8,8 52:7 53:11,17,20,25 54:5,9,12,14,18 55:6 55:18,21,25 56:5,8,11 56:14,21,25 57:14 58:7 59:7 60:5,8,11 60:15,19,21 61:2,9,10 61:11,20,21,22 62:5 63:6 64:4 65:10,13 66:17 67:11 68:14,17 68:20,21 69:2,4,16 70:4,7,9,12,18 71:2 94:14,22 97:11,14,25	98:4,8,15 100:17 checking 28:17,19,20,21 50:21 checks 37:2 100:16 102:25 children's 18:21 circumstances 93:14,19 claims 83:22 84:17 85:9 clarify 108:4 clear 65:25 clock 9:6 close 67:11,13 closed 65:10 Codes 108:4 Cohen 6:10 7:10,21 14:20 15:16 16:14 32:21,24 35:8 58:19,24 65:17 67:24 71:15 76:22 77:4 80:3,11 Cohmad 71:9,12 Cohn 27:13 71:17 college 17:18,20 Column 46:10,13,16,17,20 48:4 48:17 50:5 51:7,7,9 51:10 52:22 55:2,4,5 55:7,8 57:6,13,14,15 59:15 60:23 61:3 64:3 64:4,5 66:23 69:8,15 69:16,17 70:14,20 71:3 102:22 columns 46:8,9 51:6 54:24 55:3	57:11 63:25 69:13 come 72:3 commencing 3:17 COMMISSION 107:22 common 1:19 communicate 24:19 communicated 13:12 43:18 communications 26:12 company 18:18 22:11 71:8,11,23 compelled 83:15,17 84:3,9 complaint 8:6 45:15 82:8 104:9 104:18 concern 80:16 concerning 90:19 conclude 105:6 concluding 3:18 conduct 31:2 confidential 12:11 13:4,10 14:4,5 conform 108:4 connected 106:12 connection 14:9 21:25 65:5 consist 25:20 consistent 56:22 57:2 59:14 60:22 61:3 66:21 67:4 69:7 70:13,19
<hr/> C <hr/>			
C 4:1 calculated 82:17 California 3:10 106:23 call 28:24,25 42:24 47:21 called 10:11 18:18,21 19:19 71:9,12 capital 29:3 61:13,17,19 62:25 80:23 90:19 95:4,6,10 95:11,19 caption 2:1 9:14 care 40:14,22 43:2 78:13 80:10 case 9:14 50:13 75:3 91:13 cash			

Consolidated 1:9,13	counsel 11:15 13:21,24 106:14	27:19 31:11 33:7 76:17 78:11 86:17 101:6,11 101:22	defendants' 82:18
consult 90:10	counsel's 12:6	daily 72:13 73:18,22	defense 90:19
contact 26:6,8 27:16	couple 100:24	date 1:24 43:4 46:6,10 47:11 48:3 53:16 54:14 55:2 56:4,21,22 57:13 59:10 60:14,21 60:22 64:3 67:17 68:17 69:15 70:7,12 79:12 88:20 108:2	define 22:5
contacted 34:24	course 23:17 73:15	dated 6:10,15,20 7:9,14,21 35:15 51:22 52:15 53:15 55:24 60:10 68:16 70:6 94:16 97:12 98:5 107:11	delivery 62:20
contacting 25:20	court 1:1 3:11,13 9:17 10:6 11:5,9 21:22 26:3 33:17 35:18 39:6 45:6 46:23,24 48:22 51:13 53:4 55:11 57:17 59:19 64:8 68:7 69:20 78:19 82:4 83:2 88:8 91:18 106:24,24	dates 14:23	dental 18:19
contained 89:17	cover 96:5	day 106:16 107:12,18	DEPO 107:6
content 93:7 96:12,16	covering 104:12	deals 76:13	DEPONENT 107:1
Continued 1:21 2:1	created 2:7,9,12 30:10	dealt 76:15 78:8 100:10,12 100:13,14	deposed 14:9
controlled 99:24 100:4	credit 84:19 85:11	dear 34:8,9 40:5,6 41:3 58:21,22 65:2,5,21 66:10	deposit 28:15 37:16 44:21 46:20 47:16 62:6 97:15 98:8 103:2 104:8
controls 13:2	credited 45:18 61:12 84:23 95:3	death 95:9 96:24 100:3,18	deposited 22:22
conversation 22:5 34:10 87:22	CRR 2:24	Debtor 1:11	deposition 9:10 10:21 13:17,24 19:6 21:19 76:5 87:8 87:24 105:4 106:5,6 108:2
copies 74:17,21,22 77:3 86:14 86:17,23,24	Crupi 27:6	December 104:10,19	deposits 44:17 45:17,21 46:2 84:20,22 102:8 104:16
copy 6:23 13:22 40:8 42:10	current 16:24	declare 89:13	describe 72:17
CORPORATION 1:3	currently 17:24,25 19:2	defendant 1:8 84:19	description 6:4 7:4 8:4 46:11,15 51:8 55:6 57:14 64:4 69:16
correct 12:9 15:25 16:7,15 25:8,15 31:19,20 32:22 33:5,14,15 35:9 35:10 37:13 42:3 44:16 48:20 52:16,19 56:19,20 62:13,19,22 66:11 71:5 89:18,25 90:11 101:7,11,12,16 101:19,20,24 104:14 107:7 108:5	cut 61:20	defendants 2:21 82:19 85:25 86:3	designate 14:2
corrections 107:8	D 10:10	Defendant's 84:19	destroyed 75:11,19,21 76:3 86:21
correctly 93:24	dad 23:6,13 27:16 36:24 37:17,19 38:16 44:14 72:3,5		Dgentile@bakerlaw.... 4:16
correspond 48:6	dad's		diagnosed 24:22 31:6,7

Dick 1:18 2:2,2,4,6,7,10,13 2:16,16,19,19 6:6,9 6:22 9:15 14:10,21 15:3 23:4,6,7,8,14 25:7 29:12 31:24 34:14,15 40:12,14 41:19 47:17,25 53:14 53:15 55:23,24 58:25 59:5 60:9,10 64:22 65:7,12 68:15,16 70:5 70:6 80:9 94:23 97:15 98:8	59:7 100:14 District 1:2 9:18 DIV 80:19 Divorce 42:20 divorced 41:15 doc 21:4 doctors 36:25 document 29:20,25 32:15 33:17 34:11 35:19,25 36:10 39:6,12 42:9 45:6,14 46:24 48:22 51:13 53:3 55:11 57:17 59:19 60:2 64:7 67:7 68:7 69:19 78:19 79:9 79:13 82:3 88:8,16 89:4 92:2 98:21 documents 12:12 13:3 19:8,13 20:2,19,21,25 31:15 72:4,7,11,18 75:15 76:24,24 77:17 81:18 87:15 90:2 99:21 doing 18:4 Dominic 4:12 9:25 10:18 96:2 DORAL 2:8 doubt 38:21 Douglas 2:18 58:7 59:8 62:2 63:7 Dr 18:20 34:15 40:14 53:15 55:24 60:10 68:16 70:6 draft 93:2 94:2 96:9	drafted 93:5 97:4 drawn 49:8 drop 13:14 Dtd 1:18 2:3,5,7,10,13,17 2:19 9:15 34:15 40:13 80:10 duly 10:12 106:3 DVD 63:21 105:3 <hr/> E <hr/> E 4:1,1,18,18 10:10,10 10:10 earlier 94:21 99:9,13 102:7 easier 22:8 36:21 East 17:2 education 17:20 educational 17:14 effects 36:18 44:4 effort 36:20 either 25:16 Elder 43:2 email 4:8,16 26:9 74:4 employed 19:2 employment 18:9,23 enable 30:25 Enclosed	47:15 enclosing 65:15 endorse 98:14 100:16 endorsed 97:24 endorsement 97:21 enlisted 44:21 ensure 89:25 90:10 entire 52:3 65:11 74:23 entirety 65:10 entitled 85:25 entity 13:13 entry 54:15,20 56:23 57:5 61:4 69:9 equitable 86:2 Eric 65:5,22 66:10 Erin 58:22 errors 108:5 ESQ 4:4,12 estate 2:2,6,16,18 32:12 35:13 42:25 43:2 61:23 81:17 101:6,11 et 9:16 evidencing 103:2 ex-husband 32:25 33:2 76:19 exact 88:20
---	--	--	---

exactly 18:5 20:11,14 23:15 24:10,24 26:16 73:13 80:8 99:16	107:22 explain 85:19 explained 93:23 96:15 extra 98:20	19:19,21 21:15,17 24:4 29:23 30:6 32:17 34:3 34:12 35:13 36:11 47:7 54:8,13 56:16 61:23 67:15 68:23 78:11 81:12,17 86:22 87:3,6,10 94:8 95:9 96:24 100:3,17	7:2 8:2 9:1,21 10:1,5 10:17 11:1 12:1 13:1 14:1,17 15:1,17 16:1 16:23 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1,25 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1,23 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:3 107:3,16
examination 2:23 3:6 5:1,3 10:15 13:25 92:18 101:3 102:5 103:16	<hr/> F <hr/>	fax 74:3 80:14,15 faxed 28:8 Fazio 4:19 9:7 federal 83:16 feeble 44:5 fictitious 86:5,12 figure 49:24,25 52:20,21 59:13,15 66:18,21 67:3 69:6,8 85:21 figures 70:25 file 34:20 42:10 52:10 filed 9:16 76:19 fill 78:11 filling 77:15 final 78:11 finances 31:8 76:16 financial 31:3 101:19,22 find 34:11 47:15 92:23 finish 11:23 48:16 57:4 Firestone 1:23 2:23 3:7 5:2 6:2	first 8:8 10:12 19:23 34:7 40:4 41:24 47:13 58:20 64:15,24 84:16 88:11 96:19 firstly 77:20 five 18:15 flooded 74:24 Floral 40:19 follow-up 100:25 followed 30:15,16 following 1:21 13:13 80:18
examinations 13:18 examined 10:13 Excuse 71:10 93:17 executor 2:5 32:12 33:7,14 37:23 94:7 101:6,9 Exhibit 6:5,6,8,10,13,15,18,20 6:23 7:5,7,9,12,14,17 7:19,21 8:5,7 12:16 12:20 29:8,9 31:22,23 32:2 33:18,20,23 35:19,21 37:4 39:7,9 45:7,9,14 46:4,25 47:3 48:3,14,17,23 49:2,25 50:4,5 51:3 51:14,20 52:22 53:5,7 54:4,15,20,23 55:12 55:14 56:22 57:2,10 57:18,19,21 59:15,20 59:22 60:22 61:3 62:16 63:24 64:9,11 66:22 68:8,10 69:6,7 69:8,12,21,23 70:13 70:20 78:20,22,24 82:5,9,22 88:9,12 92:20 94:11,18 95:23 97:10 98:4,19 102:18 103:6,19 104:9,17,18	F 10:10 13:15 facilitate 44:17 facilitated 44:14 fact 81:20 facts 108:4 failure 84:18 85:10 fair 19:25 84:2,8 97:3 99:23 false 89:22 familiar 27:10,12 95:6 97:18 98:11 far 18:13 27:21 61:18 86:25 103:9 farther's 45:18 father 21:13,13 22:16 23:3,19 24:6 25:20 26:13 30:14,22 31:12 35:12 36:8,14,17 41:12 42:2 42:16 43:9,13,16 49:18 50:18,25 61:16 71:22 72:24 73:2 77:10 78:5,7,14,16 79:16 81:17 88:3 91:24 95:16 101:17 father's		
exhibits 6:1 7:1 8:1,11 13:3 71:7 expect 30:22 EXPIRES			

follows 10:14 40:11	6:13	78:18,19 82:2,3,21,21	held 9:10
foregoing 107:5	generally 20:13	85:6,22 88:7,8 90:18	help 24:10,17,17 25:19
form 86:6	Gentile 4:12 5:4,6,8 9:25,25	97:8 103:18 105:2	27:15 77:5,10,14
formal 11:4	10:16,18 12:10,15,22	Goldberg 18:20	81:15 86:16
formerly 58:24 65:17	13:9 14:6 20:23 21:5	Golden 18:22	helped 24:7,9 86:18
forward 22:4	21:7 26:5 29:11 32:4	Good 9:3 10:17	helping 25:10
Frank 39:21,22	32:10 33:22 35:23	Goose 18:22	hereunto 106:15
fraudulently 82:17	36:3 39:11,17 45:12	governs 12:11,17	history 18:9,24
front 22:6 50:10 60:18 68:21	47:6 49:5 51:16,18	Grand 17:11 40:18 42:5	home 16:24
96:25	53:2,9 55:16 57:23	grantor 2:2	HOSTETLER 4:11
full 14:15 74:10	58:2 59:24 63:11,22	guess 24:16 25:11 28:7 34:25	Hurricane 74:10,12,14
function 44:7	64:6,14 68:12 69:18	42:24 84:11	husband 76:13 77:4
functions 33:6	70:2 78:25 79:2,7	<hr/> H <hr/>	<hr/> I <hr/>
funds 59:4	82:2,6,11 83:5 88:15	H 1:13	idea 23:23 24:2 30:11,24
further 103:10 106:10	92:11 98:22 99:4	hand 106:16	36:16 43:10 45:4
furtherance 40:7	100:24 101:4 102:2,4	handed 86:25	50:14,16 51:2 71:25
<hr/> G <hr/>	102:7,12 103:12,17	handing 12:23 45:13	79:10 81:3 86:13
gains 80:23 90:20	104:23	handle 99:14	99:22
garment 18:17	give 14:22 17:13 18:8 31:2	handwritten 6:20 42:7,12 49:14	identification 12:21 29:10 32:3 33:21
gathered 77:24 78:2	36:14 63:9 74:21,22	66:15 80:24	35:22 39:10 45:10
gathering 77:16 78:4,9 81:18	77:3 87:15 91:12,16	happen 28:10	47:4 49:3 53:8 55:15
Gee 16:9	103:12	hard 100:21	57:22 59:23 64:12
Geez 28:14	given 13:3,11 21:21	head 11:14	68:11 69:24 78:23
General	go 18:7,13 32:14,15 45:20	headings 46:8 54:25 57:12 64:2	82:10 88:13
	45:25 46:5,14 51:4	69:14	identified 45:22
	54:22 57:9 63:23	hear 71:8,11,15	identify 9:22 82:24
	69:11 85:23 104:2		impair 12:3
	God 75:19		in-depth 18:10
	going 10:20,22 12:15 13:7,14		including
	22:4,5,21 27:3 29:6,7		
	31:21,22 33:16,17		
	35:17,18 37:3 39:5,6		
	39:21 44:20 45:5,6,20		
	45:25 46:5,22,23,24		
	48:21,22 51:3,12,13		
	51:17,19 52:4 53:2,3		
	55:10,11 57:16,17		
	59:18,19 63:14 64:6,7		
	67:6 68:6,7 69:18,19		

34:8 40:5 46:8 54:25 57:12 58:21 64:2 65:2 69:14 income 90:24 INDEX 5:1 6:1 7:1 8:1 indicated 12:7 individually 1:18 information 5:11 21:11 78:10 79:11 86:7 89:19 104:12 Ingrid 50:15 INSTRUCTED 5:15 inter-account 85:11 interested 106:11 Internal 86:8 interrogatories 8:9 88:11 interrogatory 103:22 interviewed 21:25 introduce 12:16 29:6 31:21 33:16 35:17 39:5 45:5 46:23 48:21 51:12 53:3 55:10 57:16 59:18 64:7 68:6 69:19 78:18 82:3 88:7 invest 23:19 investment 1:6,14 22:11 34:6 39:23 43:8,11,12 49:12 52:18 71:24 INVESTOR 1:3 INVESTORS	108:1 involved 75:16 Ira 19:18 32:24 76:5,22 77:4 87:3 IRS 20:15,16 86:6 Irving 1:13 10:2,19 issue 67:11 issued 63:6 65:11 IV 13:20 <hr/> J <hr/> J 2:4,18 10:10 58:7 59:8 89:13 J-E-R-R-E-L-L 18:19 Jacob 1:18 2:2,2,4,6,7,9,12 2:16,16,19,19 6:6,9 9:15 14:10 23:6,7 29:12 31:24 34:14,15 40:12,14 47:17,25 53:14,15 55:23,24 58:25 59:5 60:9,10 64:22 65:7,12 68:15 68:16 70:5,6 80:9 94:23 97:15 98:8 Jallim@chaitmanllp.... 4:8 Jennifer 4:4 10:3 Jerrell 18:18 Jersey 3:12 Jessica 3:8 10:7 106:22 JESSIE 2:24	Job 2:25 108:3 jobs 18:14 JOCELYN 2:11 Jodi 27:6 34:5,8,9,25 37:7 John 4:19 9:7 joint 38:10 Jones 27:8 Joy 1:23 2:23 3:7 5:2 6:2 7:2 8:2 9:1 10:1 11:1 12:1 13:1 14:1,17,20 14:20,21,21 15:1,3,9 15:14,16,17 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1,24 59:1 60:1 61:1 62:1 63:1 64:1 65:1,16 66:1 67:1,24 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:3 107:3,16 JPSAI0006305 6:24 48:24	judge 11:3 12:25 judicial 91:18 July 7:22 79:14 99:7 June 23:8,14 25:7 40:17 41:16,18,19,21,21 42:4 78:17 <hr/> K <hr/> Kaplan 7:15 19:20,20,24 20:3 20:4 21:9 33:11,11 42:21,21 62:9,10,14 62:14,20,20,24,25 63:5,6 64:17,18 78:8 78:8,10,10,13,13 81:22,22,23,23 93:6,6 93:25,25 95:9,10 96:4 96:5,20 99:19,19,24 99:24 kept 94:19 Kert 6:15 39:20,25 40:2 42:17 kind 65:3 knew 30:16 know 10:25 11:21 22:6 23:13 23:18,21,24 24:11 27:7 29:5 30:20 31:4 39:13 41:11 43:7,11 43:15,19,22,23 44:23 47:19 50:15 61:18 63:5,8 66:5,19 71:14 71:14,21 72:10 74:7 74:23 75:14,20 80:15 81:11 82:14 84:3,8,11 84:25 86:25 87:2,19 89:9 97:24 98:10,11 98:17,23 103:9
--	--	--	--

knowledge 75:24 76:3 84:24 88:6 89:19 100:7	96:9,18,19 99:6,10,11 99:15	59:2,5 60:9 64:22 65:7,12 68:15 70:5 80:10 97:16 98:9	55:23 58:25 59:5 60:9 64:22 65:7,12 68:15 70:5 80:9 97:15 98:8
known 58:24 65:17	liability 82:18	LLC 1:7,15 22:11 39:24 58:6 64:19 67:10	MADC0099_0000002 6:19 45:8
<hr/> L <hr/>	Licensed 17:15	LLP 4:3 10:4 40:2 42:17	Madoff 1:6,10,14,15 21:25 22:10,12,13 23:22 34:5 39:23 49:12 52:18 53:12 55:20 58:6 60:7 64:18 67:10 68:15 70:5 71:23 79:19 86:7 91:24 94:23 97:11 98:5 99:7 99:12 108:1
L 1:6,10,14,15 4:18 22:10 39:23 49:12 52:17 53:12 55:20 58:6 60:7 64:18 67:10 68:14 70:4 71:23 79:19 94:22 97:11 98:4 99:7,12	life 100:22	local 86:9	Madoff's 90:24
Lake 3:16 9:12	Lifland 12:25	locate 88:2	MADWAA00267820 7:6 53:6
law 40:3	line 41:3 46:5 51:4 52:22 54:22 57:9 59:16 60:23 63:24 65:21 66:22 69:11 70:21,21 80:7 84:16 102:20 108:7,9,11,13,15,17 108:19,21,23	located 9:11	MADWAA00297797 7:8 55:13
laws 83:16,17 84:3,8,12	liquidate 59:3	location 25:17 107:6	MADWAA00299814 7:20 69:22
lawsuit 75:16	liquidated 65:9	long 17:2 18:3	MADWAA00300724 7:13 59:21
left 42:8 49:15 53:25 56:8 60:17 68:20 83:24 84:5 85:4 89:2	liquidation 1:7,14 96:20	long-term 80:22	MADWAA00302409 7:18 68:9
legal 11:4 101:13,23	list 107:8	longer 18:15	maiden 16:11 41:22
legally 83:15	listed 34:14 45:22 48:2 49:10 50:5 59:13 70:13,20 103:5	look 29:13 32:5 33:19 35:24 39:12 50:10 54:3 56:10 61:8 94:13 95:22 97:10 98:3 102:16,18 103:21	mail 26:9 73:25 74:3,5,6
let's 18:14 63:11 95:22 96:16 97:10 98:3 102:16,16,18	lists 45:16	looked 72:20 98:24	mailings 40:13,17
letter 6:10,15 28:7 35:3,5 37:6,9 39:18 40:7 43:4 47:10 48:13 49:25 51:22 52:3,5,17 52:21 58:5,10,15,21 59:11,14 62:12,16 64:17,21,25 65:15 66:10,13 67:9,18,21 68:2 79:20 80:7,13 93:3,5,8 94:3 96:4,5,6	litigation 6:5 10:20 12:8,16,24 74:13 75:17	looks 65:3 66:2	maintain 28:21 35:12 75:15,18
	little 89:9	losses 80:23	maintained 22:16 43:16 49:18 59:4 61:17 62:25 71:22 76:2
	live 25:16 42:4	lot 37:20 103:20	manage 86:19
	lives 45:19	loud 104:6	managing 76:17
	living 1:18 2:3,5,7,10,13,16 2:19 6:7 9:15 25:14 29:13 34:14 40:12 47:18 53:14 55:23	<hr/> M <hr/>	Marcus 3:15 9:12
		M 1:18 2:2,2,4,6,7,9,12 2:16,16,19,19 6:6,9 9:15 14:10 23:6,7 29:12 31:24 34:14 40:12 47:17,25 53:14	Margaret

50:13	meaning	4:1,18 10:10,10	number
mark	13:5 19:7	name	9:19 24:14 34:13 35:20
12:19 31:22 33:18	means	9:7,20 10:18 14:15	36:10 40:21 41:7
35:19 39:7 45:7 46:25	30:20 85:14,16 91:16	15:20,24 16:3,11,14	42:13,14 47:2 48:24
48:23 51:14 53:4	medication	19:17,21,23,24 27:2	49:17 50:23,24 51:15
55:12 57:18 59:20	12:3	28:23 31:18 32:21	53:5 55:13 57:19
64:8 68:8 69:20 78:20	Merit	34:17,25 35:8 37:10	59:21 64:9 68:24
82:4 88:9	3:8	41:22,24,24,25 52:7	78:21 80:12 81:13
marked	messed	56:17 58:17 67:23	98:10
6:4 7:4 8:4 12:20 29:7	58:23	71:15 76:8 80:3 81:25	numbers
29:9 32:2 33:20 35:21	met	named	38:22 44:8,10,10 45:8
39:9 45:9,13 47:3	23:22	30:18 37:23,25 38:7	68:9 69:21
49:2 53:7 55:14 57:21	mid-2000s	61:13 95:18,19 106:6	numeral
59:22 64:11 68:10	25:11	names	13:20
69:23 78:22 82:9	mildew	14:18,24 23:2 27:3	NYACR
88:12	74:10	necessarily	2:24
Marks	mildewed	77:13	NYRCR
2:4 14:21 15:15,24	74:24	need	2:24
16:20 31:19 40:14	mind	11:20 18:22	
56:18 58:25 65:17	44:6	needed	O
89:13	minimum	24:16 26:14 27:17	O
marriage	43:8	77:17	4:18 10:10,10
41:24,24 42:2	minute	New	o0o-
married	12:13 39:13 63:9	1:2 3:12,12,13,15,16	5:10
23:14 25:6	missing	4:6,6,14,14 9:13,18	o0o--
Marsha	66:24	17:3 34:19 40:15,19	4:21
27:13 71:17	mom	52:9 80:12 106:24,24	oath
massage	25:2	106:25 107:7	10:13
17:15,17	moment	nodding	object
master's	57:24 59:25 78:14 79:3	11:13	11:15
17:20	money	North	Objection
match	22:21 27:25 84:4,9	61:13	102:12
49:24 50:4 52:21 54:15	100:14	Notary	objections
54:19	moneys	3:14 106:25 107:20	8:7 88:10
matches	91:23	notation	obligation
50:24	month	42:8,12,12 49:15 53:24	11:6
material	20:20,20	56:7 60:18 66:16	obviously
13:10 14:4	months	68:19 80:25	37:20
materials	73:16	note	occupation
12:12	morning	6:20	17:23
matter	9:3 10:17 34:10	noted	Ocean
22:2	mother	107:8	17:4 33:3 34:18 37:11
Maurice	23:3,4,10,11	notifying	40:15 52:8 80:11
71:15		13:6	odd
mean	N	November	73:24
38:7 44:10 77:6		75:2	office

9:11 officer 91:18 oh 25:3 46:18 80:14 81:5 85:8 okay 11:9,19,24,25 12:23 14:7,22 15:2,3,7,13 15:18 16:8,13,18 17:16 18:3,7 19:2,25 20:16,18,23 21:6,18 21:21,24 22:13,17,18 22:19,25 23:21,24 24:3,19 25:9 26:11,24 27:5,23 28:9,17 29:17 29:18,24 30:12,18 31:5,10,13,17 32:11 32:14,20,24 33:6,12 34:7 35:2,7,11,17 36:7,14 37:3,8,14,19 39:5,16 41:2,11 42:11 42:16,21 43:3,7 44:12 45:5,11,24 46:6,22 47:5,7 48:21 49:4,21 50:10,12 51:24,25 52:11,20,25 54:3,11 55:10 57:16 58:3,9,12 58:17 59:10,13,18 60:3,17 61:8,24 62:18 63:5,23 64:13,20,24 67:3,17 68:2,6 69:11 73:2 75:8,12,25 76:15 78:18 79:6,12 80:6 81:9 82:2 83:13 84:2 84:13 85:6,22 86:14 87:13,19 88:4,7,14,23 89:24 90:8,13,18 91:25 92:10,12,17,24 93:2,5 94:2,11,15,20 94:21 95:22,24 96:15 98:3,22 99:18,20,23 100:11,20 102:14,19 103:14,25 104:21,23 old 18:12 19:15	opened 95:10 operative 13:18 opinion 44:25 order 6:5 12:8,17,24 13:2,22 13:23 19:13 59:8 94:19 original 8:12 outcome 106:11 Outside 90:5 overnight 62:19 <hr/> P <hr/> P 4:1,1,18 p.m 3:18 104:25 105:5 page 1:21 5:3 6:4 7:4 8:4 29:24 30:4,7 32:14,15 32:18 36:9,12 45:23 46:4 52:13 54:4 56:10 61:8 64:15 67:7 68:4 79:25 82:12 83:6,11 84:13 85:7,8,8,23,24 89:4,6 90:13,15 103:8 104:2,3 107:9 108:7,9 108:11,13,15,17,19 108:21,23 pages 73:9 paper 24:12,13 papers 75:9,9,10 77:17 paperwork 21:12 paragraph 12:14 13:8 34:8 47:14	52:2 58:20 82:13,16 83:7,11 84:14,15 85:7 85:8,23,24 89:8,11,12 paragraphs 40:5 64:25 parents 25:16 Park 4:5 40:19 Parkinson's 24:6,23 31:7 36:18 44:4 Parkway 17:11 40:19 42:5 part 41:4 66:9,13 84:18 85:10 participation 24:4 94:5 parties 9:23 106:13 party 13:6 91:2 104:7 party's 90:21 Pascali 40:6 pass 23:11 78:16 passed 23:10 25:2 61:23 78:6 78:7,15 Pause 32:7 36:2 39:15 57:25 79:5 103:15 pay 27:19 86:4,11 payable 59:7 65:11 payee 49:10 60:8 61:13 95:4 payment 90:19,21 pending 11:22 perform	33:7 42:22 period 104:10,13 person 13:12 22:13 26:21 41:18 106:8 personal 76:12 77:7 100:6 PHONE 4:7,15 Picard 1:13 10:2,19 14:9 place 106:6 plaintiff 1:16 4:10 10:2 Plaintiff-Applicant 1:4 please 10:24 11:12 14:15 34:11 36:5 46:5 47:15 47:16,21 54:22 57:9 59:25 63:23 64:25 65:13 69:11 70:3 79:4 79:8 80:7,17 82:12 83:6 point 13:7 15:8 16:11 25:9 pointing 91:7 Pollack 40:17 41:16,18,21 42:4 portion 61:10 65:24 portions 14:2 possession 90:25 possibility 73:21 possible 40:23 62:24 63:3 Possibly 21:12 power 6:13 34:12 35:12 36:6
---	---	---	--

36:15,23 37:15,21 38:5,6,12 56:16 101:18,21 practically 72:13 preparation 76:4 87:8,24 88:25 prepare 19:6 77:5,10,13,14 prepared 86:15 present 9:22 11:3 previous 68:3 previously 50:17 51:25 52:11 print 58:22 prior 41:25 76:18 Pro 1:5 proceed 10:8 proceeding 9:19 11:4 12:18 14:12 45:16 proceedings 63:17 105:5 107:5 proceeds 80:20 produce 74:17 produced 13:6 21:2,3 profit 85:11 profits 86:5,12 progressed 24:7 prompt 34:21 40:24 47:24 proof 82:20,25	properly 84:18 85:10 PROTECTION 1:3 protective 6:5 12:8,17,24 provide 79:10 80:18 provided 13:21 87:20 90:11 91:8 provides 101:22 Public 3:14 106:25 107:20 punishment 89:23 pursuant 89:14 put 20:24 96:25 <hr/> Q <hr/> question 11:18,22,23 24:12,13 26:13 27:17 57:5 83:19 84:7 90:6 questions 10:23,24 11:10,16 29:16 36:23 47:21 92:7,14 100:25 103:11 quickly 40:23 quite 18:6 20:10,11 28:23 41:5 <hr/> R <hr/> R 3:8 4:1,18 10:10,10 106:22 R-H-O-D-A 23:5 rates 90:22 RDR	2:24 read 12:13 29:14 34:7 40:4 40:11,16 41:2,6,8 42:7,11 46:7 47:11,13 48:9 49:14 51:5,25 52:4 53:24 54:24 56:7 57:11 58:20 61:10 63:25 64:20,24 66:15 68:19 69:3,13 80:6,13 80:24 81:2 82:14,15 85:2 89:8,14,15 90:18 102:20 104:5 107:4 reading 48:11 83:22 reads 43:5 ready 39:14 really 26:16 31:4 33:9 39:4 72:20 100:19 Realtime 3:9,11,13 106:23,23,24 reason 72:22 108:4,7,9,11,13 108:15,17,19,21,23 recall 77:2,6 receive 20:9 28:11 59:7 72:12 74:2 76:23 98:14 99:20 received 62:5 73:6,17 receiving 61:21 recess 63:16 recognize 29:20 31:10 32:6,8 102:10 recollection 34:23 61:16 81:16 record 9:4 12:14 14:16 20:24	21:6 52:3 63:15,21 105:3 106:7 108:4 recoupment 86:2 recover 83:9,15 refer 22:9,12,21 37:4 51:19 62:15 67:6 103:18 reference 40:9 referenced 68:3 referred 23:25 refers 91:4 92:3 reflected 90:24 104:9 refresh 34:22 61:15 81:15 regards 91:19,23 Registered 3:8,9 106:22 Regus 3:15 9:11 REID 2:8 related 106:12 relating 14:3 relative 75:15 remember 16:9,12 19:23 24:24 25:24 26:7,16,25 27:14 28:6,7,15,22 33:9 38:2,9,10,11,11 38:17,19,22,24 39:4 44:8 61:21 63:4 72:19 73:13 77:21,22,23,25 78:3,9 81:25 93:24 95:15,17,21 100:19 100:22
--	--	--	---

rephrase 10:25	Respondent 104:7	22:24 28:23 30:19 42:13,13 66:16 74:15 80:25 104:12,20	81:8
reported 2:24 86:5,7 90:23 106:8	responding 90:20 91:2	RIO 2:11	se 77:14
reporter 3:8,9,10,11,11,13,14 10:7 11:9 26:3 33:18 35:18 39:7 45:7 46:23 46:25 48:23 51:14 53:4 55:12 57:18 59:20 64:8 68:8 69:20 78:20 82:4 83:2 88:9 106:1,22,23,23,24,24	response 11:23 83:3 91:8,9,10	Rockefeller 4:13	second 40:16 41:23 54:4 56:10 67:7 90:14 96:6,17
	responses 83:21 85:19 88:10 89:17,21,25 90:11 103:23	role 30:12	second-to-last 89:4
	responsibilities 101:10,14,23	Roman 13:19	secondary 17:19
Reporting 9:9	retail 18:21	Rosalie 27:11	section 13:19
represent 9:24	retrieve 20:2,18	Roslyn 29:2 49:9 50:18,23	securities 1:3,7,14 22:11 34:6 39:24 49:13 52:18 58:6 64:18 67:10 71:24 83:16 108:1
represented 42:17	return 78:12	ruined 74:9	Security 40:21
representing 10:19	returns 20:15,15,16 21:15,16 76:16 77:5,11,15 81:18 86:15,18,23 87:9,10	Rule 13:17,25	see 24:13 27:4 66:8,8,12 81:7,8,10 88:2 96:5 96:16 102:25
request 34:2 65:8 93:15,19,20 99:12	Rev 1:18 2:2,5,7,10,13,16 2:19 9:15 53:14	S	seeks 83:8,14
REQUESTED 5:11	Revenue 86:8	S-C-H-A-L-L 19:18	seen 31:14 88:16
requesting 27:25 34:16 37:10 52:6 62:13 96:20 99:8	reverse 54:5 56:11 61:9	Sandy 74:10,12,14 75:6 76:3 86:21	send 34:16 52:7 65:13
requests 38:14	review 19:8 57:24 59:25 72:7 79:3 90:2	Savings 28:18 29:2 49:9 50:18 50:23	sent 37:11 40:13,18 62:12 72:4
required 86:4,11	Revocable 6:6 14:10 29:12 34:14 47:17 55:23 59:2,5 60:9 64:22 65:7,12 68:15 70:5 80:9 97:16 98:9	saying 44:24 60:23 65:25	sentence 52:5 85:16
reside 17:4,10		says 13:9,16,20 40:9 47:19 62:21 65:21 66:20 81:3,5,10 82:16 84:17 95:2 97:15	separate 73:8
resided 33:3		Schall 19:18 20:6 21:9,10 76:6 87:3	September 1:24 3:17 6:3,21 7:3,14 8:3 9:2,5 47:12 67:19 106:16 107:6 108:2
residence 37:12	Rhoda 23:4	schedules 80:23	series 10:22
respect 64:15	Richard 71:19	school 17:17	served 88:21
respective 106:14	rid 74:25	scribble	Service 86:8
respond 11:13	right		

services 42:22	somebody 26:6 91:17	73:10 84:25	sufficient 59:3
set 8:8 86:2 88:11 106:15	sorry 16:4,9 35:3 43:3 46:14	statements 72:15,17,22,25 73:3,9	Suite 3:16 9:12
sheet 45:22	48:16 51:17 53:22	74:3,8,18 76:25 77:4	sum 47:16 59:9
short 87:6	55:3 57:19 69:7 73:5	90:24 91:17,17 92:3,8	summary 17:13 18:8
short-term 80:22	80:8 82:15 84:13 85:7	states 1:1 9:17 34:11	supposed 75:14
shoulders 11:14	85:23 86:16 90:14	stating 56:15	sure 14:25 18:5,6 20:10,11
shown 13:11	94:17 103:12	stayed 18:15	28:24 38:25 41:5,10
shrugging 11:14	sort 26:11	steps 19:5 89:24	73:23 102:4
side 54:5 56:11 61:9	sound 27:10,12	stipulation 21:4	SUZANNE 2:15
sign 36:25 38:12 93:12 97:5	Southern 1:2 9:17	Stone 50:15	swear 10:7
100:8	speak 19:9,12,14 25:23 26:20	store 18:21	sworn 10:12 91:17 106:4
signature 30:3,7 31:11 32:17	26:20 36:25 43:22	straight 15:19	107:17
35:4 36:11 47:8 52:12	87:25 90:3	Street 17:2	<hr/> T <hr/>
54:8,13 56:13 58:12	speaker 26:4	strike 93:15 102:16	T 4:18 10:10
67:20 79:24 89:5	speaking 22:7,10,15	Sturlingh 2:18 58:7 59:8 62:2	take 11:24 19:5 29:13 32:5
107:1	specifically 11:17 13:8 27:24	63:7	33:19 35:24 39:12
signatures 50:11	split 40:10 41:12	subject 80:6 89:22	57:24 59:25 63:10,11
signed 12:25 31:18 35:8 65:16	spoke 19:10,15 26:22 34:23	submit 38:15	79:3 89:24
93:12 94:9,10 96:25	76:5 87:7,23 90:4	subparagraph 13:15,19 90:16	taken 3:7 21:19 22:23 62:9
signing 12:7 31:15 38:3 96:6	Spring 71:19	SUBSCRIBED 107:17	63:17 82:20 106:5
simply 22:21,22	stack 72:12 73:6	subsequent 99:25 100:17	107:5
Sincerely 47:24	stamped 61:11	Substantively 1:8,13	talk 21:5
SIPA 1:7,14	start 18:14 25:10 63:21	Success 3:16 9:13	talking 22:12 65:21
small 90:16	started 15:23 16:13 18:11	sued 75:2,21	tax 21:15,15 76:16 77:5,11
SMB 9:19	state 3:14 14:15 83:15 86:8	suffering 36:18 44:3	77:15 78:12 81:18
Social 40:20	106:25		87:9,10 90:22
	stated 91:24		taxes 27:21 76:20 86:4,11
	statement		90:20,22 99:14
			100:13

taxing 86:9	17:15 thing	57:14 64:4 65:19 69:16	turned 75:22
technician 9:8	11:21 29:15 98:7 things	transactions 31:3 80:21	two 17:18 22:15 40:10
telephone 26:9,10,11 34:10	27:21 31:8 78:2,3 86:6 think	transcribed 106:9	41:12 45:18 48:9 50:8 50:11 64:25 70:25 75:5,21
tell 11:6 29:22 30:9 32:5 33:24 36:4 39:18 43:4 49:6 50:22 53:10,16 53:19 54:7 55:17 58:3 60:4,14,18 64:16 67:2 67:8 68:13 70:3 79:8 85:13,15 86:10 88:19 91:3	21:3 29:2 40:8 46:12 thinking 95:8 third 52:4 102:20 thought 44:2 94:19 thousand 38:20 three 40:4 throw 27:3 Thursday 1:24 3:17 6:3 7:3 8:3 time 9:5,21 10:23 11:20 26:4,21 28:8 31:17 32:20 33:4 35:2,7 56:18 58:18 63:13,19 67:24 72:8,13 73:6 74:20 76:17 77:5 80:4 87:6,12 96:22,23 97:8 100:7,21 104:24 106:5 times 25:25 today 9:4 10:21 13:4 85:18 told 43:25 73:2 81:19,21,23 93:9 99:16 top 42:12 61:10 80:25 totally 100:4 TRANS 47:20 transaction 46:11,15,16 51:8 55:5	transcript 8:12 14:3 107:5 transcription 108:5 transfer 22:20 93:14 transfers 85:11 treated 13:4 true 89:18 106:7 107:7 trust 1:18 2:3,5,6,7,9,10,12 2:13,14,17,19 6:7 9:15 14:10 19:19,22 29:13,23 30:13,19,23 34:15 37:20 40:12 42:23 47:18 53:14 55:24 59:2,5 60:10 64:23 65:7,12 68:16 70:6 80:10 94:8,23 97:16 98:9 trusted 30:14 trustee 1:13 2:4,6 30:19,23 58:25 82:17,20,25 83:8,14 91:9 104:11 trustee's 8:5,8 45:15 82:8 84:17 85:9 88:10 90:25 truth 11:6 trying 28:14 turn 29:24 36:9 82:12 83:6 85:7 89:3 90:13,15 92:20	types 76:23 <hr/> U <hr/> Uh-huh 11:8 15:10,22 26:15 29:19,21 32:23 35:16 48:5 50:20 56:12 65:23 75:4,7 80:5 83:12 90:17 94:25 95:5 101:2 102:23,25 104:4 um 25:18 undersigned 65:13 106:2 understand 10:24 11:7 14:8 83:19 85:4 89:20 90:6 91:5 93:7,13,18,20 96:12 96:21 97:7 understanding 92:5 Understood 100:23 United 1:1 9:16 use 16:3 22:14,20 29:3 <hr/> V <hr/> v 1:17 14:9 vaguely 28:6 video 9:6,7 63:20 105:2

videographer 4:19 9:3 10:6 63:13,19 92:13,17 104:24 VIDEOTAPED 2:23 3:6 vs 108:1 vs- 1:5	65:4,20 66:3,4,5 wife 23:10 41:17 willfully 89:22 wishes 30:15 withdraw 51:17 84:4,9 withdrawal 55:8 62:13 64:5 69:17 104:8 withdrawals 44:14 45:17,21 46:2 51:10 57:8,15 82:19 82:22,24 83:8,14,18 85:12 104:17 withdrawn 22:24 35:3 within-entitled 106:4 witness 1:23 4:2 5:2,15 6:2 7:2 8:2 9:20 10:4,8,11 13:16 32:8 39:16 45:11 47:5 49:4 64:13 79:6 83:4 88:14 98:23 106:15 witness's 106:7 witnessed 31:14 witnesses 13:20 woman 26:23 Woodmere 25:14,17 34:18 37:12 40:15 52:8 80:11 words 77:16 83:23 work 28:5 39:22,25 90:9 worked 18:17,19,21 working	18:11 wouldn't 44:23 write 99:11,15,17 writing 24:17 65:8 written 53:20 54:19 58:10,11 69:3,4 wrong 16:17 wrote 35:2 X Y Y 10:10 yeah 14:25 18:25 20:17 23:18 27:21 62:17 77:8 85:8 92:15 year 15:5 86:3,11 87:14 88:22,23 90:23 years 17:8,18 18:12,16 25:4 31:15 73:16 75:5,21 80:17 86:15,18 87:19 Yep 54:6 92:25 York 1:2 3:12,13,15,16 4:6,6 4:14,14 9:13,18 17:3 34:19 40:15,19 52:9 80:12 106:24,24,25 107:7 Z 0 0 41:10 0.14 71:4	0.29 48:19 50:9 0.49 66:20 69:10 0.99 66:20 05 99:8 07 99:8 08-01789(SMB) 1:6 1 1 6:5 12:16,19,20 46:8 46:19 51:6,7 54:24 55:2 57:11,13 60:23 63:25 64:3 69:15 70:14 80:19 108:4 1-CM325 22:18 41:12 1-CM325-3- 41:9 1-CM838 81:12 1-CM883 22:18 42:10 45:23 49:16 81:4 82:23 84:21 1-CM883-3 54:2 56:9 60:20 68:22 1-CM883-3-0 34:13 59:6 64:23 67:14 1-CM883-4 47:18 1-CM884 42:10 1,409,474 66:19 1,509,474 64:5 67:3 1,509,474.49 69:5 97:13 1,518 102:24
--	---	---	---

1,752.86 70:11,19 71:3 98:6	10Copy 7:5	18:11 69:21,23 85:24 98:4	54:24 55:4,5 57:11,14 61:8 63:21 64:2,4
1,753 69:17 71:3	11 55:12,14 94:17 104:10	16Copy 7:19	69:13,16 80:20 105:3 108:4
10 5:4 13:8 25:4 51:14 53:5,7 54:4 94:17 104:2	11:20 63:14	17 6:11 78:20,22,24 98:19 98:23	20 82:13,16
10-04570 9:19 14:13	11:22 63:18	1746 89:15	2000s 25:13
10-04570(SMB) 1:13	11:26 63:20	17Letter 7:21	2004 6:16,21 13:17,25 43:6 47:12
10/7/08 70:8 98:5	11005 40:19	18 82:5,9	2005 80:17
10/7/2008 69:12,15 70:16,22	11561 17:3	185025 7:5	2006 15:16 16:14,19 80:17 104:10
10:09 9:6	11598 40:15	18Answer 8:5	2007 6:11 36:17 80:17 104:19
10:11 3:18 9:2	11958 34:19 52:9 80:12	19 7:9 59:12 88:9,12 103:19	2008 7:9,15,22 59:12 67:19 76:18 78:17 79:14 99:7
100,000 34:18 37:11 51:11 52:8 52:21 53:21,23 54:19 55:9 56:3	11Copy 7:7	195830 7:7	2009 16:19,19
10022 4:6	12 6:5 57:19,21 62:16 92:20 94:17	196 17:4 33:3 34:18 37:11 40:14 52:8 80:11	2010 75:2
101 5:6	12:19 104:25	1974 15:6,20,21 16:5	201098 7:19
10111 4:14	12:21 3:18 105:5	1979 3:15 9:11 23:12,16	2011 18:6
102 5:7	12Letter 7:9	1988 15:11,21 16:2	2012 15:17 16:14,16,22 74:16
103 5:8	13 57:18 59:20,22 94:11 94:18	199207 7:12	2014 17:9 74:14
104,928 46:21 48:18	13Copy 7:12	1993 15:15,24 16:2,6 17:9	2017 1:24 3:17 6:3 7:3 8:3 9:2,5 106:16 107:6,12 107:18 108:2
104,928.29 47:16 48:10 49:23	14 1:24 3:17 6:3 7:3 8:3 9:2,5 64:9,11 69:6 95:23 107:6 108:2	199571 7:17	20th 40:7
1044 42:15	14Letter 7:14	19Responses 8:7	21 15:4 53:6
1099 80:19 86:6	15 68:8,10 69:7 70:18 95:25 97:10	1CM325 6:18	210 3:16 9:12
1099-B 80:20	15Copy 7:17	2 6:6 29:8,9 45:23 46:4,8 46:10,13,19 51:6,7	
1099s 99:8	16		

212	6:14	55:7,8 57:6,11,15	104:17
80:14,16	37	59:15 61:3 64:2,5	701004071
212-589-4200	83:7,11	66:23 69:8,13,17	98:9
4:15	39	70:20 71:3	7010040714
21st	6:17	50	97:17
106:16		38:18 72:12 73:6,8,9	725
22	4	500	59:21
7:22 79:14 99:7	4	38:23	75,000
23	6:10,21 33:18,20,23	516	57:15 58:8 59:9,14
85:23,24	36:9 37:4 46:8,17,19	47:22	60:13 61:7 63:7 94:24
239-1400	46:20 47:12 49:19	53	78
47:22	50:5 51:20	7:6	7:23
24	4/17/07	55	
82:12	35:15 51:23 52:15	7:8	8
2410	4/18/07	57	8
68:9	53:18 54:15	7:11	6:20 46:25 47:3 48:14
25	4/18/2007	59	49:25 90:15
85:7,8	51:5,7 52:23 54:17,20	7:13	8.1
26	4/6/01		2:6,9,12,14
83:6,11	1:18 2:3,5,7,10,13,17	6	8/25/08
27	2:20 9:16 34:15 53:15	6	60:16 94:16,23
6:16 43:6 84:13 85:7,8	55:24 60:10 68:16	6:15 39:7,9 104:2,19	8/25/2008
270-20	70:6 80:10	622	57:10,13 59:16 60:24
17:10 40:18 42:5	4/6/01,'	64:10	61:4,20
29	40:13	634	815
6:7	4/9/08	35:20	69:22
	56:6	635	82
3	4/9/2008	17:2	8:6
3	54:23 55:2 56:23 57:5	6390331970	83
6:8 7:14 31:23 32:2	45	6:23	80:14
45:8 46:16 48:4,17	4:13 6:19	64	838-4061
67:19 80:22 102:22	46	7:16	80:16
108:5	84:14,16	68	88
3/7/2005	465	7:18	8:9
102:21	4:5	69	88162
30	47	7:20	47:20
29:24	6:22		883
300	48398	7	81:10
39:3	42:15	7	888-759-1144
30553	49	6:18 45:7,9,14 46:4	4:7
2:25 108:3	6:24	48:3,17 50:5 51:3	
32		52:22 54:15,20,23	9
6:9	5	56:22 57:2,10 59:15	9
33	6:13 35:19,21 51:6,9	60:22 61:3 63:24	6:23 32:15 48:23 49:2
6:12	51:10 52:22 54:24	66:22 69:8,12 70:13	50:4
35		70:20 82:22 102:18	9/10

66:17 9/10/08 68:18 97:12 9/16/08 63:25 9/16/2008 64:3 66:23 69:9 9/8/2004 46:6,10 48:3 92 5:5 98 55:13			
---	--	--	--